

**HOUSE BILL NO. 301**

IN THE LEGISLATURE OF THE STATE OF ALASKA  
TWENTY-SECOND LEGISLATURE - SECOND SESSION

**BY REPRESENTATIVES COGHILL AND FATE, James**

**Introduced: 1/14/02**

**Referred: Health, Education and Social Services, Finance**

**A BILL**

**FOR AN ACT ENTITLED**

1 **"An Act providing that certain obligors will receive credit against their child support**  
2 **obligation for certain types of noncash child support; and providing for an effective**  
3 **date."**

4 **BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

5 \* **Section 1.** AS 25.27.020(b) is amended to read:

6 (b) In determining the amount of money an obligor must pay to satisfy the  
7 obligor's immediate duty of support, the agency shall consider all payments **of money**  
8 made by the obligor directly to the obligee or to the obligee's custodian before the time  
9 the obligor is ordered to make payments through the agency. After the obligor is  
10 ordered to make payments through the agency, the agency may not consider direct  
11 payments **of money** made to the obligee or the obligee's custodian unless the obligor  
12 provides clear and convincing evidence of the payment. **Notwithstanding the**  
13 **definition of "support order" in AS 25.27.900, the agency shall reduce the**  
14 **amount of money an obligor must pay to satisfy the obligor's immediate duty of**

1 support by the fair market value, as determined by the agency from information  
2 developed by other state agencies, of a noncash contribution made by the obligor  
3 under the following circumstances:

4 (1) the obligor, obligee, and obligee's custodian live a primarily  
5 noncash lifestyle;

6 (2) the noncash contribution is for basic food, housing, or heat; the  
7 agency, by regulation, may also give credit for other types of noncash  
8 contributions that help to satisfy the basic material needs of the obligee;

9 (3) the noncash contribution is made directly to the obligee's  
10 custodian; and

11 (4) the obligor presents clear and convincing evidence of the  
12 noncash contribution and its use or consumption by the obligee or the obligee's  
13 custodian.

14 \* **Sec. 2.** The uncodified law of the State of Alaska is amended by adding a new section to  
15 read:

16 APPLICABILITY. AS 25.27.020(b), as amended by sec. 1 of this Act, applies to  
17 noncash contributions made on or after the effective date of this Act.

18 \* **Sec. 3.** This Act takes effect immediately under AS 01.10.070(c).