

HOUSE BILL NO. 176

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-THIRD LEGISLATURE - FIRST SESSION

BY REPRESENTATIVES COGHILL, Gruenberg

Introduced: 3/7/03

Referred: Health, Education and Social Services, Judiciary

A BILL

FOR AN ACT ENTITLED

1 "An Act providing that certain obligors can 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's child support obligation for current support is not
 5 more than \$50 a month;

6 (2) the obligee's custodian has agreed to allow the agency to give
 7 the obligor credit for noncash support and has not withdrawn that agreement;

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

11 (4) the noncash contribution is made directly to the obligee's
 12 custodian; and

13 (5) the obligor presents clear and convincing evidence of the
 14 noncash contribution and its use or consumption by the obligee or the obligee's
 15 custodian.

16 * **Sec. 2.** The uncoded law of the State of Alaska is amended by adding a new section to
 17 read:

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

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