

CS FOR SENATE BILL NO. 58(JUD)

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-THIRD LEGISLATURE - FIRST SESSION

BY THE SENATE JUDICIARY COMMITTEE

Offered: 4/4/03

Referred: Finance

Sponsor(s): SENATOR COWDERY

A BILL

FOR AN ACT ENTITLED

1 **"An Act relating to permanent fund dividend program notice requirements and to the**
2 **ineligibility for permanent fund dividends of certain persons sentenced for crimes**
3 **involving mandatory motor vehicle liability insurance."**

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

5 * **Section 1.** AS 43.23.005(g) is amended to read:

6 (g) For purposes of applying (d)(1) **and (i)** of this section, the date the court
7 imposes a sentence or suspends the imposition of sentence shall be treated as the date
8 of conviction. For purposes of applying (d)(2)(B) **and (i)(2)** of this section, multiple
9 convictions arising out of a single criminal episode shall be treated as a single
10 conviction.

11 * **Sec. 2.** AS 43.23.005 is amended by adding a new subsection to read:

12 (i) Notwithstanding the provisions of (a) - (c) of this section, an individual is
13 not eligible for a permanent fund dividend for a dividend year when

14 (1) during the qualifying year, the individual was sentenced as a result

1 of conviction in this state of a misdemeanor under AS 28.22.011, 28.22.021, or
2 28.22.051 involving mandatory motor vehicle liability insurance; or

3 (2) during the qualifying year or the four years immediately before the
4 qualifying year, the individual was sentenced as a result of the conviction in this state
5 of a misdemeanor under AS 28.22.011, 28.22.021, or 28.22.051 involving mandatory
6 motor vehicle liability insurance if the individual has been convicted of a prior
7 misdemeanor under AS 28.22.011, 28.22.021, or 28.22.051.

8 * **Sec. 3.** AS 43.23.028(a) is amended to read:

9 (a) By October 1 of each year, the commissioner shall give public notice of
10 the value of each permanent fund dividend for that year and notice of the information
11 required to be disclosed under (3) of this subsection. In addition, the stub attached to
12 each individual dividend check and direct deposit advice must

13 (1) disclose the amount of each dividend attributable to income earned
14 by the permanent fund from deposits to that fund required under art. IX, sec. 15,
15 Constitution of the State of Alaska;

16 (2) disclose the amount of each dividend attributable to income earned
17 by the permanent fund from appropriations to that fund and from amounts added to
18 that fund to offset the effects of inflation;

19 (3) disclose the amount by which each dividend has been reduced due
20 to each appropriation from the dividend fund, including amounts to pay the costs of
21 administering the dividend program and the hold harmless provisions of
22 AS 43.23.075;

23 (4) include a statement that an individual is not eligible for a dividend
24 when

25 (A) during the qualifying year, the individual was convicted **in**
26 **this state** of a

27 **(i) felony; or**

28 **(ii) misdemeanor under AS 28.22.011, 28.22.021, or**
29 **28.22.051 involving mandatory motor vehicle liability insurance;**

30 (B) during all or part of the qualifying year, the individual was
31 incarcerated as a result of the conviction **in this state** of a

1 (i) felony; or

2 (ii) misdemeanor if the individual has been convicted of
3 a prior felony or two or more prior misdemeanors; or

4 (C) during the qualifying year or the four years
5 immediately before the qualifying year, the individual was sentenced as a
6 result of conviction in this state of a misdemeanor under AS 28.22.011,
7 28.22.021, or 28.22.051 involving mandatory motor vehicle liability
8 insurance if the individual has been convicted of a prior misdemeanor
9 under AS 28.22.011, 28.22.021, or 28.22.051;

10 (5) include a statement that the legislative purpose for making certain
11 individuals listed under (4) of this subsection ineligible is to

12 (A) obtain reimbursement for some of the costs imposed on the
13 state criminal justice system related to incarceration or probation of those
14 individuals;

15 (B) provide funds for services for and payments to crime
16 victims and for grants for the operation of domestic violence and sexual assault
17 programs;

18 (6) disclose the total amount that would have been paid during the
19 previous fiscal year to individuals who were ineligible to receive dividends under
20 AS 43.23.005(d) if they had been eligible;

21 (7) disclose the total amount appropriated for the current fiscal year
22 under (b) of this section for each of the funds and agencies listed in (b) of this section.

23 * **Sec. 4.** The uncodified law of the State of Alaska is amended by adding a new section to
24 read:

25 **APPLICABILITY.** The amendments made by secs. 1 and 2 of this Act apply only to
26 individuals convicted of misdemeanors under AS 28.22.011, 28.22.021, or 28.22.051
27 involving mandatory motor vehicle liability insurance committed after December 31, 2003.
28 Convictions for misdemeanors committed before January 1, 2004, may not be considered in
29 determining prior convictions for purposes of applying AS 43.23.005(i)(2), added by sec. 2 of
30 this Act.