

HOUSE BILL NO. 10

IN THE LEGISLATURE OF THE STATE OF ALASKA
TWENTY-NINTH LEGISLATURE - FIRST SESSION

BY REPRESENTATIVES MUÑOZ, Tarr

Introduced: 1/21/15

Referred: State Affairs, Finance

A BILL

FOR AN ACT ENTITLED

1 **"An Act relating to allowable absences from the state for medical emergencies for**
2 **purposes of eligibility for permanent fund dividends; and providing for an effective**
3 **date."**

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

5 *** Section 1.** AS 43.23.008(a) is amended to read:

6 (a) Subject to (b) and (d) of this section, an otherwise eligible individual who
7 is absent from the state during the qualifying year remains eligible for a current year
8 permanent fund dividend if the individual was absent

9 (1) receiving secondary or postsecondary education on a full-time
10 basis;

11 (2) receiving vocational, professional, or other specific education on a
12 full-time basis for which, as determined by the Alaska Commission on Postsecondary
13 Education, a comparable program is not reasonably available in the state;

14 (3) serving on active duty as a member of the armed forces of the

1 United States or accompanying, as that individual's spouse, minor dependent, or
2 disabled dependent, an individual who is

3 (A) serving on active duty as a member of the armed forces of
4 the United States; and

5 (B) eligible for a current year dividend;

6 (4) serving under foreign or coastal articles of employment aboard an
7 oceangoing vessel of the United States merchant marine;

8 (5) receiving continuous medical treatment recommended by a
9 licensed physician or convalescing as recommended by the physician who treated the
10 illness if the treatment or convalescence is not based on a need for climatic change;

11 (6) providing care for a parent, spouse, sibling, child, or stepchild with
12 a critical life-threatening illness whose treatment plan, as recommended by the
13 attending physician, requires travel outside the state for treatment at a medical
14 specialty complex;

15 (7) providing care for the individual's terminally ill family member;

16 (8) settling the estate of the individual's deceased parent, spouse,
17 sibling, child, or stepchild, provided the absence does not exceed 220 cumulative days;

18 (9) serving as a member of the United States Congress;

19 (10) serving on the staff of a member from this state of the United
20 States Congress;

21 (11) serving as an employee of the state in a field office or other
22 location;

23 (12) accompanying a minor who is absent under (5) of this subsection;

24 (13) accompanying another eligible resident who is absent for a reason
25 permitted under (1), (2), (5) - (12), (16), or (17) of this subsection as the spouse, minor
26 dependent, or disabled dependent of the eligible resident;

27 (14) serving as a volunteer in the federal peace corps program;

28 (15) because of training or competing as a member of the United States
29 Olympic Team or a United States national team for an Olympic sport;

30 (16) participating for educational purposes in a student fellowship
31 sponsored by the United States Department of Education or by the United States

1 Department of State;

2 (17) for any reason consistent with the individual's intent to remain a
3 state resident, provided the absence or cumulative absences do not exceed

4 (A) 180 days in addition to any absence or cumulative absences
5 claimed under (3) of this subsection if the individual is not claiming an absence
6 under (1), (2), or (4) - (16) of this subsection;

7 (B) 120 days in addition to any absence or cumulative absences
8 claimed

9 (i) under (1) - (3) of this subsection if the individual is
10 not claiming an absence under (4) - (16) of this subsection but is
11 claiming an absence under (1) or (2) of this subsection; or

12 (ii) under (1) - (16) of this subsection if the
13 individual is claiming an absence under (5) or (12) of this
14 subsection for an unplanned medical emergency, the individual
15 returns to the state immediately following the treatment for the
16 unplanned medical emergency, and the 120 days of absence or
17 cumulative absences occur before the absence claimed under (5) or
18 (12) of this subsection for the unplanned medical emergency; in
19 this sub-subparagraph, "unplanned medical emergency" means an
20 unanticipated illness or injury that requires immediate care out of
21 the state to relieve the acute illness or injury; or

22 (C) 45 days in addition to any absence or cumulative absences
23 claimed under (1) - (16) of this subsection if the individual is claiming an
24 absence under (4) - (16) of this subsection.

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

27 APPLICABILITY. Notwithstanding permanent fund dividend application procedures
28 or deadlines, an individual who qualifies for a 2015 or 2016 permanent fund dividend under
29 AS 43.23.008(a)(17)(B)(ii), enacted by sec. 1 of this Act, may apply for the dividend or for an
30 eligible minor's dividend by December 31, 2015. The Department of Revenue shall prepare a
31 form for application under this section.

1 * **Sec. 3.** The uncodified law of the State of Alaska is amended by adding a new section to
2 read:

3 **RETROACTIVITY.** Sections 1 and 2 of this Act are retroactive to January 1, 2015.

4 * **Sec. 4.** This Act takes effect immediately under AS 01.10.070(c).