

1 IN THE SENATE BY THE RULES COMMITTEE BY REQUEST
OF THE LEGISLATIVE COUNCIL

2 SENATE BILL NO. 213

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 FOURTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to property subject to
7 execution; and creating an exemption for
8 child support payments."

9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

10 * Section 1. AS 09.35.080(1) is amended to read:

11 (1) the income [EARNINGS] of the judgment debtor
12 earned or due [RECEIVED FOR HIS PERSONAL SERVICES RENDERED]
13 at any time within 30 days immediately preceding the levy,
14 but not exceeding \$350 if he is the head of a family, and
15 the amount of \$200 if he is a single man, and when it appears
16 by the debtor's affidavit or otherwise that the income is
17 [EARNINGS ARE] necessary for his use or for the use of his
18 family which is supported in whole or in part by his income
19 [LABOR];

20 * Sec. 2. AS 09.35 is amended by adding a new section to read:

21 Sec. 09.35.085. EXEMPTION FOR CHILD SUPPORT PAYMENTS.
22 The portion of the income of the judgment debtor earned or
23 due at any time within 30 days immediately preceding the
24 levy of an execution which the judgment debtor has been
25 ordered to pay to a court trustee as child support payments
26 under Rule 67 of the Rules of Civil Procedure is exempt from
27 execution if the court trustee has given notice of the court
28 order to the garnishee before the levy, or if he gives
29 notice to the person to whom the writ of execution is directed

**ALASKA
STATE
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as soon as the existence of the levy becomes known to the trustee but before disposition of the funds by the court.