

Original sponsor: Moran

Offered: 4/21/71
Referred: Rules

1 IN THE HOUSE

BY THE JUDICIARY COMMITTEE

2 CS FOR HOUSE BILL NO. 340

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 SEVENTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act relating to the execution exemption for in-
7 come; and providing for an effective date."

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

9 * Section 1. AS 09.35.080 is amended by adding a new subsection to read:

10 (b) Income is exempt from execution in accordance with the fol-
11 lowing:

12 (1) Except as provided in (2) of this subsection, the
13 maximum part of the aggregate disposable income of an individual for
14 any week which is subject to execution may not exceed (A) 25 per cent
15 of his disposable income for that week, or (B) the amount by which his
16 disposable income for that week exceeds \$114, whichever is less. The
17 multiple of the weekly wage for semi-monthly and monthly income
18 periods is two-and-one-sixth and four-and-one-third, respectively.

19 (2) The restrictions of (1) of this subsection do not apply
20 in case of

21 (A) an order of a court for the support of any person,

22 (B) an order of a court of bankruptcy under chapter

23 XIII of the Bankruptcy Act (11 U.S.C., sec. 1001 et seq.), or

24 (C) a debt due for a state or federal tax.

25 (3) No court may make or enforce an order which is not in
26 conformity with this subsection.

27 (4) No employer may discharge an employee by reason of the
28 fact that his income has been subject to execution for any one
29 indebtedness.

1 (5) In this subsection

2 (A) "income" means all money received by the individual
3 that is not otherwise exempted by state or federal law;

4 (B) "disposable income" means that part of the income
5 of an individual remaining after the deductions from the income of
6 any amount required by law or court order to be withheld.

7 * Sec. 2. AS 09.35.080(1) is repealed.

8 * Sec. 3. This Act takes effect on the day after its passage and approval
9 or on the day it becomes law without approval.