

Offered: 3/18/82
Referred: Finance

Original sponsor: Eliason

1 IN THE SENATE

BY THE JUDICIARY COMMITTEE

2 CS FOR SENATE BILL NO. 741 (Judiciary)
3 IN THE LEGISLATURE OF THE STATE OF ALASKA
4 TWELFTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to child support enforcement."

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

8 * Section 1. AS 09.65.132(b) is amended to read:

9 (b) An income assignment order shall direct the obligor, the
10 obligor's [HIS] employer, future employer, and any person, political
11 subdivision, or department of the state to assign money due or to be due
12 the obligor to the obligee or to the child support enforcement agency
13 (AS 47.23) in an amount sufficient to meet the support payments imposed
14 by the court or by the child support enforcement agency under AS 47.-
15 23.140.

16 * Sec. 2. AS 09.65.132(h) is amended to read:

17 (h) The court may order a party to pay [AN OBLIGOR TO PAY] all
18 court [COURTS] costs and reasonable attorney fees involved in an income
19 assignment proceeding under this section.

20 * Sec. 3. AS 25.25.010(6) is amended to read:

21 (6) "duty of support" includes a duty of support imposed or
22 imposable by law, or by a court order, decree or judgment, whether
23 interlocutory or final, whether incidental to a proceeding for divorce,
24 legal separation, separate maintenance or otherwise, and includes the
25 duty to pay arrearages of support past due and unpaid together with
26 penalties and interest on arrearages;

27 * Sec. 4. AS 47.23.020(2)(C) is amended to read:

28 (C) a uniform schedule of penalties and interest on
29 arrearages of support that shall [FEES WHICH MAY] be charged to the

1 obligor upon notice if [THE] child support payments are 10 or more
2 days overdue or if payment is made by a check backed by insuffi-
3 cient funds; [.]

4 * Sec. 5. AS 47.23.020 is amended by adding a new paragraph to read:

5 (6) disburse child support payments collected by the agency
6 to the obligee together with interest charged under (2)(C) of this
7 section.

8 * Sec. 6. AS 47.23 is amended by adding a new section to read:

9 Sec. 47.23.035. PENALTIES RETAINED. The agency may retain penal-
10 ties charged under AS 47.23.020(2)(C).

11 * Sec. 7. AS 47.23 is amended by adding a new section to read:

12 Sec. 47.23.105. AUDIT OF COLLECTIONS. Within 10 working days
13 after receipt of a written request from an obligor or the obligor's
14 legal representative, the agency shall provide a certified audit of all
15 child support payments made by the obligor and received by the agency.
16 The audit shall include the date and amount of each payment, the name of
17 the obligee, and the total amount of arrearages of support past due and
18 amount of unpaid penalties and interest imposed under AS 47.23.020(c).
19 The agency is required to provide an audit for an obligor under this
20 section only once each year.

21 * Sec. 8. AS 47.23.110(3) is amended to read:

22 (3) "duty of support" includes a duty of child support imposed
23 or imposable by law, by a court order, decree or judgment, or by a
24 finding or decision rendered under this chapter whether interlocutory or
25 final, whether incidental to a proceeding for divorce, legal separation,
26 separate maintenance, or otherwise, and includes the duty to pay arrear-
27 ages of support past due and unpaid together with penalties and interest
28 on arrearages imposed under AS 47.23.020(2)(C);

29 * Sec. 9. AS 47.23.070 is repealed.