

Original sponsor: Eliason

Offered: 5/5/82  
Referred: Rules

1 IN THE SENATE

BY THE FINANCE COMMITTEE

2

CS FOR SENATE BILL NO. 741 (Finance)

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; and  
7 providing for an effective date."

8

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

9

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

10

(b) An income assignment order shall direct the obligor, the  
11 obligor's [HIS] employer, future employer, and any person, political  
12 subdivision, or department of the state to assign money due or to be due  
13 the obligor to the obligee or to the child support enforcement agency  
14 (AS 47.23) in an amount sufficient to meet the support payments imposed  
15 by the court or by the child support enforcement agency under AS 47.-  
16 23.140.

17

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

18

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

21

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

22

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

28

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

29

(C) subject to AS 47.23.025 and to federal law, a uniform

1 schedule of penalties and a rate of interest on arrearages of sup-  
2 port that shall [FEES WHICH MAY] be charged to the obligor upon  
3 notice if [THE] child support payments are 10 or more days overdue  
4 or if payment is made by a check backed by insufficient funds, [.]

5 \* Sec. 5. AS 47.23.020 is amended by adding new paragraphs to read:

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

9 (7) deposit penalties charged under (2)(C) of this section in  
10 the general fund.

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

12 Sec. 47.23.025. RATES OF PENALTY AND INTEREST. A penalty imposed  
13 under AS 47.23.020(2)(C) may not be at a rate that exceeds the rate of  
14 interest imposed on delinquent taxes under AS 43.05.225. The rate of  
15 interest imposed under AS 47.23.020(2)(C) shall equal the rate imposed  
16 under AS 43.05.225 or a lesser rate that is the maximum rate of interest  
17 permitted to be imposed under federal law.

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

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

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

29 (3) "duty of support" includes a duty of child support imposed

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

7 \* Sec. 9. AS 47.23.070 is repealed.

8 \* Sec. 10. This Act takes effect January 1, 1983.

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

26

27

28

29