

Offered: 3/27/85
Referred: Finance

Original sponsor: Ziegler by request

1 IN THE SENATE

BY THE JUDICIARY COMMITTEE

2

CS FOR SENATE BILL NO. 169 (Judiciary)

3

IN THE LEGISLATURE OF THE STATE OF ALASKA

4

FOURTEENTH LEGISLATURE - FIRST SESSION

5

A BILL

6

For an Act entitled: "An Act limiting the exemption of permanent fund

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dividends from orders for the collection of debt."

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

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* Section 1. AS 43.23.065 is amended to read:

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Sec. 43.23.065. EXEMPTION OF PERMANENT FUND DIVIDENDS. Fifty

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percent of the annual permanent fund dividend payable to an individual

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is exempt from levy, execution, garnishment, attachment, or any other

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remedy for the collection of debt. This exemption applies to an

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eligible individual's permanent fund dividend both before and after

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payment is made to the individual. An exemption is not available

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under this section for permanent fund dividends taken to satisfy (1)

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child support obligations required by court order or decision of the

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child support enforcement agency under AS 47.23.140 - 47.23.220; (2) a

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debt owed by an eligible individual to an agency of the state, unless

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the debt is contested and an appeal is pending, or the time limit for

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filing an appeal has not expired; or (3) court ordered restitution

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under AS 12.55.045 - 12.55.051 or 12.55.100. A child support obliga-

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tion under (1) of this section has priority over a debt owed to an

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agency of the state or court ordered restitution. and a permanent fund

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dividend may not be taken to satisfy a debt under (2) of this section

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until any portion of the dividend necessary to satisfy a child support

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obligation and court ordered restitution has been taken.