

1 IN THE HOUSE

BY SHULTZ

2

HOUSE BILL NO. 359

3

IN THE LEGISLATURE OF THE STATE OF ALASKA

4

FIFTEENTH LEGISLATURE - SECOND SESSION

5

A BILL

6 For an Act entitled: "An Act relating to notice to third persons affected  
7 by the attachment or delivery of property to pay  
8 child support obligation."

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

10 \* Section 1. AS 47.23.230 is amended by adding a new subsection to  
11 read:

12 (e) Within 24 hours after a lien is asserted upon the property  
13 of an obligor, the agency shall notify by certified mail each person  
14 who is known to own or who is readily ascertainable as owning the  
15 property jointly or in common with the obligor. The notice must  
16 include an explanation of the effect of the lien and of procedures  
17 available to the person to obtain either release of the property or an  
18 undertaking to protect the person's interest in the property. The  
19 agency shall ascertain who must receive notice under this subsection  
20 from sources of information that are appropriate to the kind of  
21 property and that are reasonably calculated to disclose the identity  
22 of owners of the property including

- 23 (1) recorded documents of title;  
24 (2) registrations for bank accounts and the like; and  
25 (3) official registration numbers, licenses, or other  
26 state, federal, or municipal numbers on the property.

27 \* Sec. 2. AS 47.23.250 is amended by adding a new subsection to read:

28 (j) Within 24 hours after service of the order to withhold and  
29 deliver property of an obligor, the agency shall notify by certified

1 mail each person who is known to own or who is readily ascertainable  
2 as owning the property jointly or in common with the obligor. The  
3 notice must include an explanation of the effect of the order to  
4 withhold and deliver and of procedures available to the person to  
5 either recover the property or preserve the person's interest in the  
6 property. The agency shall ascertain who must receive notice under  
7 this subsection from sources of information that are appropriate to  
8 the kind of property and that are reasonably calculated to disclose  
9 the identity of owners of the property including

10 (1) recorded documents of title;

11 (2) registrations for bank accounts and the like; and

12 (3) official registration numbers, licenses, or other  
13 state, federal, or municipal numbers on the property.