

CS FOR HOUSE BILL NO. 43 (JUDICIARY)
IN THE LEGISLATURE OF THE STATE OF ALASKA
SEVENTEENTH LEGISLATURE - FIRST SESSION

BY THE HOUSE JUDICIARY COMMITTEE

Offered: 5/1/91
Referred: Finance

Sponsor(s): REPRESENTATIVES ULMER, Brown, Carney, B.Davis

A BILL

FOR AN ACT ENTITLED

1 "An Act relating to distribution of child support collected by the child support enforcement
2 agency; requiring certain employers to provide information to the agency; requiring the
3 Department of Health and Social Services to give notice of assignments to recipients of
4 aid to families with dependent children; and providing for an effective date."

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

6 * Section 1. AS 25.27.075 is repealed and reenacted to read:

7 Sec. 25.27.075. EMPLOYMENT INFORMATION. (a) Upon notice by the agency and
8 except as provided in (b) of this section, an employer doing business in the state shall report to
9 the agency the

10 (1) hiring of a person who resides or works in this state to whom the employer
11 anticipates paying earnings; and

12 (2) rehiring or return to work of an employee who was laid off, furloughed,
13 separated, granted a leave without pay, or terminated from employment.

14 (b) An employer is not required to report the hiring of a person who the employer

1 anticipates

2 (1) will be employed for less than one month's duration; or

3 (2) will be employed sporadically so that the employee will be paid for less than
4 350 hours during a continuous six-month period.

5 (c) An employer required to report under (a) of this section may make the report by
6 mailing the employee's copy of the W-4 form or by other means authorized by the agency that
7 will result in timely reporting.

8 (d) An employer required to report under (a) of this section shall submit reports within
9 seven days of hiring, rehiring, or return to work of an employee. The report must contain

10 (1) the employee's name, address, social security number, and date of birth; and

11 (2) the employer's name, address, and employment security reference number or
12 unified business identifier number.

13 (e) The agency shall retain the information received under (a) - (d) of this section for a
14 particular employee only if the agency is responsible for establishing, enforcing, or collecting a
15 support obligation of the employee. If the employee does not owe a support obligation, the
16 agency may not create a record regarding the employee, and the information contained in the
17 notice shall be promptly destroyed.

18 (f) An employer of the obligor or a labor union of which an obligor is a member shall
19 provide to the agency information requested regarding the obligor's employment, wages or salary,
20 and location. The information required under this subsection is in addition to the information
21 required under (a) of this section, if any.

22 (g) In addition to civil liability under AS 25.27.260, if applicable, or any other law, an
23 employer of an obligor or a labor union of which an obligor is a member that knowingly violates
24 this section is liable for a civil penalty of not more than \$1,000.

25 * Sec. 2. AS 25.27.130 is amended by adding new subsections to read:

26 (d) Except as provided in (f) of this section, if the obligee is not receiving assistance
27 under AS 47.25.310 - 47.25.420 at the time the state recovers money in an action under this
28 section, the recovery of any amount for which the obligor is liable shall be distributed to the
29 obligee for support payments that have become due and unpaid since the termination of
30 assistance under AS 47.25.310 - 47.25.420 under a support order in favor of the obligee.

31 (e) After payment to the obligee under (d) of this section, the state may retain an amount

1 not to exceed the total unreimbursed assistance paid on behalf of the obligee under
2 AS 47.25.310 - 47.25.420.

3 (f) Notwithstanding (d) of this section, the state shall, if required under federal law or
4 regulations, distribute amounts recovered through offset of the obligor's federal tax refund as past
5 due support with first distribution to the state for unpaid support assigned to the state under
6 AS 47.25.345.

7 * Sec. 3. AS 47.25.340 is amended by adding a new subsection to read:

8 (b) During the application process, the department shall give to the applicant written
9 notice of the assignment of support rights that will be considered to have occurred under
10 AS 47.25.345. The notice must

11 (1) be plainly written;

12 (2) include a statement that informs the applicant that the assignment under
13 AS 47.25.345 includes an assignment of support rights that may have accrued during any time
14 that the family was not receiving assistance and that, under the assignment, the state may retain
15 support that it collects on behalf of the applicant to reimburse the state for assistance received
16 by the applicant during previous periods of assistance, if any.

17 * Sec. 4. This Act takes effect January 1, 1992.