

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

BY THE HOUSE FINANCE COMMITTEE

Amended: 5/15/91

Offered: 5/10/91

Referred: Rules

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6 * **Section 1.** AS 25.27.075 is repealed and reenacted to read: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) and (c) of this section, an employer doing business in the state shall
9 report to 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 is not required to report under (a) of this section if the employer
6 employs fewer than 20 employees.

7 (d) An employer required to report under (a) of this section may make the report by
8 mailing the employee's copy of the W-4 form, transmitting magnetic tape in a compatible format,
9 or by other means as mutually agreed by the employer and the agency that will result in timely
10 reporting.

11 (e) An employer required to report under (a) of this section shall submit monthly reports
12 regarding each hiring, rehiring, or return to work of an employee during the preceding month.
13 The report must contain

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

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

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

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

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

29 (i) Employers required to report under this section, may charge \$1 per new employee to
30 cover the cost of reporting.

31 * Sec. 2. AS 25.27.075 is repealed and reenacted to read:

1 Sec. 25.27.075. EMPLOYMENT INFORMATION. (a) An employer of an obligor or a labor
2 union of which an obligor is a member shall provide to the agency information requested
3 regarding the obligor's employment, wages or salary, and location.

4 (b) An employer of an obligor or a labor union of which an obligor is a member that
5 knowingly violates this section is liable for a civil penalty of not more than \$1,000."

6 * Sec. 3. AS 25.27.130 is amended by adding new subsections to read:

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

12 (e) After payment to the obligee under (d) of this section, the state may retain an amount
13 not to exceed the total unreimbursed assistance paid on behalf of the obligee under
14 AS 47.25.310 - 47.25.420.

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

19 Sec. 4. AS 47.25.340 is amended by adding a new subsection to read:

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

23 (1) be plainly written;

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

29 * Sec. 5. Section 2 of this Act takes effect January 1, 1995.

30 * Sec. 6. Except as provided in sec. 5, this Act takes effect January 1, 1992.