

**CS FOR HOUSE BILL NO. 146 (HES)**

**IN THE LEGISLATURE OF THE STATE OF ALASKA**

**SEVENTEENTH LEGISLATURE - FIRST SESSION**

**BY THE HOUSE HEALTH, EDUCATION AND SOCIAL SERVICES COMMITTEE**

**Offered: 4/5/91**

**Referred: Judiciary**

**Sponsor(s): REPRESENTATIVES BARNES, Brown, Ulmer, Koponen, M.A.Miller**

**A BILL**

**FOR AN ACT ENTITLED**

1 "An Act prohibiting a court from reserving property division and child custody issues for  
2 a later decision when granting certain judgments unless agreed to by the parties; and  
3 providing for an effective date."

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

5 \* **Section 1.** AS 25.24.150 is amended by adding a new subsection to read:

6 (f) If the issue of child custody is before the court at the time it issues a judgment under  
7 AS 25.24.160, the court shall concurrently issue a judgment for custody under this section unless  
8 each party expressly agrees on the record to let the court delay the custody decision for a later  
9 time.

10 \* **Sec. 2.** AS 25.24.160 is amended by adding a new subsection to read:

11 (c) Notwithstanding (a) of this section, if one of the parties to an action for divorce or  
12 action declaring a marriage void expressly submits to the court the issue of property division and  
13 has not withdrawn that issue from the court before judgment, the court shall provide in the  
14 judgment for the division of property and may not reserve the issue of property division for a

1 later time unless expressly agreed to by each party after notice of the court's intent to reserve the  
2 issue.

3 \* **Sec. 3.** AS 25.24.150(f) and 25.24.160(c), added by secs. 1 - 2 of this Act, apply to actions for  
4 divorce and actions declaring a marriage void for which judgment has not been entered before the  
5 effective date of this Act.

6 \* **Sec. 4.** This Act takes effect immediately under AS 01.10.070(c).