

**HOUSE BILL NO. 362**

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

**EIGHTEENTH LEGISLATURE - SECOND SESSION**

**BY REPRESENTATIVE MARTIN**

**Introduced: 1/11/94**

**Referred: Health, Education & Social Services, Judiciary**

**A BILL**

**FOR AN ACT ENTITLED**

1 **"An Act establishing the crime of aiding the nonpayment of child support."**

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

3 **\* Section 1. AS 11.51 is amended by adding a new section to read:**

4 **Sec. 11.51.122. AIDING THE NONPAYMENT OF CHILD SUPPORT. (a)**

5 **A person commits the crime of aiding the nonpayment of child support if the person**

6 **(1) knows that a person has a duty under an administrative or judicial**  
7 **order for payment of child support; and**

8 **(2) intentionally**  
9 **(A) withholds information about the residence or employment**  
10 **of the person who owes child support when that information is requested by a**  
11 **child support enforcement agency; or**

12 **(B) participates in a commercial, business, or employment**  
13 **arrangement with the person who owes support, knowing at the time that the**  
14 **arrangement is made that it will allow the person who owes support to avoid**

1 paying all or some of the support when it is due or to avoid having a lien  
2 placed on assets for the payment of delinquent support; receipt of a substantial  
3 asset for less than fair market value from a person who owes support after the  
4 person's support order has been established constitutes a rebuttable presumption  
5 that the person receiving the asset knew that the transfer would allow the  
6 person who owes support to avoid paying all or some of the support or to  
7 avoid having a lien placed on the asset.

8 (b) This section does not prohibit an arrangement entered into with an attorney  
9 for the purpose of paying the attorney who represents the child support obligor in  
10 proceedings to contest or modify a child support order.

11 (c) Aiding the nonpayment of child support is a

12 (1) class B misdemeanor if the amount of child support past due by  
13 more than 30 days is less than \$1,000;

14 (2) class A misdemeanor if the amount of child support past due by  
15 more than 30 days is at least \$1,000 but less than \$5,000;

16 (3) a class C felony if the amount of child support past due by more  
17 than 30 days is \$5,000 or more.