



LAWS OF ALASKA

1974

Source

SB 219

Chapter No.

45

AN ACT

Relating to the execution exemption for income; and providing for an effective date.

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

* Section 1. AS 09.35.080 is amended by adding a new subsection to read:

(b) Income is exempt from execution in accordance with the following:

(1) Except as provided in (2) of this subsection, the maximum part of the aggregate disposable income of an individual for any week which is subject to execution may not exceed (A) 25 per cent of his disposable income for that week, or (B) the amount by which his disposable income for that week exceeds \$114, whichever is less. The multiple of the weekly wage for semi-monthly and monthly income periods is two and one-sixth and four and one-third, respectively.

(2) The restrictions of (1) of this subsection do not apply in case of

(A) an order of a court for the support of any person,

(B) an order of a court of bankruptcy under chapter XIII of the Bankruptcy Act (11 U.S.C., sec. 1001 et seq.), or

(C) a debt due for a state or federal tax.

(3) No court may make or enforce an order which is not in conformity with this subsection.

(4) No employer may discharge an employee by

reason of the fact that his income has been subject to execution for any one indebtedness.

(5) In this subsection

(A) "income" means all money received by the individual that is not otherwise exempted by state or federal law;

(B) "disposable income" means that part of the income of an individual remaining after the deductions from the income of any amount required by law or court order to be withheld.

* Sec. 2. AS 09.35.080(1) is repealed.

* Sec. 3. This Act takes effect on the day after its passage and approval or on the day it becomes law without approval.