

CS FOR HOUSE BILL NO. 142(JUD)

IN THE LEGISLATURE OF THE STATE OF ALASKA

THIRTY-SECOND LEGISLATURE - FIRST SESSION

BY THE HOUSE JUDICIARY COMMITTEE

Offered: 4/28/21

Referred: State Affairs, Finance

Sponsor(s): REPRESENTATIVE MCCARTY

A BILL

FOR AN ACT ENTITLED

1 **"An Act relating to eligibility for the permanent fund dividend; and providing for an**
2 **effective date."**

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

4 *** Section 1.** AS 43.23.005(c) is amended to read:

5 (c) A parent, guardian, or other authorized representative may claim a
6 permanent fund dividend on behalf of an unemancipated minor or on behalf of a
7 disabled or an incompetent individual who is eligible to receive a payment under this
8 section. Notwithstanding **(a)(2) and (3)** [(a)(2) - (4)] of this section, a minor is eligible
9 for a dividend if, during the two calendar years immediately preceding the current
10 dividend year, the minor was born to or adopted by an individual who is eligible for a
11 dividend for the current dividend year.

12 *** Sec. 2.** AS 43.23.008(a) is amended to read:

13 (a) Subject to (b) and (d) of this section, an otherwise eligible individual who
14 is absent from the state during the qualifying year remains eligible for a current year

1 permanent fund dividend if the individual is [WAS] absent

2 (1) receiving secondary or postsecondary education on a full-time
3 basis;

4 (2) receiving vocational, professional, or other specific education on a
5 full-time basis for which, as determined by the Alaska Commission on Postsecondary
6 Education, a comparable program is not reasonably available in the state;

7 (3) **because the individual is**

8 **(A) deployed or travelling on a temporary duty assignment**
9 **while** serving on active duty as a member of the armed forces of the United
10 States, **if the individual was physically residing in the state under orders of**
11 **the armed forces of the United States immediately before the absence;** or

12 **(B)** accompanying, as **the** [THAT INDIVIDUAL'S] spouse,
13 minor dependent, or disabled dependent **of** [,] an individual who is

14 **(i) described under (A) of this paragraph** [(A)
15 SERVING ON ACTIVE DUTY AS A MEMBER OF THE ARMED
16 FORCES OF THE UNITED STATES]; and

17 **(ii)** [(B)] eligible for a current year dividend;

18 (4) serving under foreign or coastal articles of employment aboard an
19 oceangoing vessel of the United States merchant marine;

20 (5) receiving continuous medical treatment recommended by a
21 licensed physician or convalescing as recommended by the physician who treated the
22 illness if the treatment or convalescence is not based on a need for climatic change;

23 (6) providing care for a parent, spouse, sibling, child, or stepchild with
24 a critical life-threatening illness whose treatment plan, as recommended by the
25 attending physician, requires travel outside the state for treatment at a medical
26 specialty complex;

27 (7) providing care for the individual's terminally ill family member;

28 (8) settling the estate of the individual's deceased parent, spouse,
29 sibling, child, or stepchild, provided the absence does not exceed 220 cumulative days;

30 (9) serving as a member of the United States Congress;

31 (10) serving on the staff of a member from this state of the United

1 States Congress;

2 (11) serving as an employee of the state in a field office or other
3 location;

4 (12) accompanying a minor who is absent under (5) of this subsection;

5 (13) accompanying another eligible resident who is absent for a reason
6 permitted under (1), (2), (5) - (12), (16), or (17) of this subsection as the spouse, minor
7 dependent, or disabled dependent of the eligible resident;

8 (14) serving as a volunteer in the federal peace corps program;

9 (15) because of training or competing as a member of the United States
10 Olympic Team or a United States national team for an Olympic sport;

11 (16) participating for educational purposes in a student fellowship
12 sponsored by the United States Department of Education or by the United States
13 Department of State;

14 (17) for any reason consistent with the individual's intent to remain a
15 state resident, provided the absence or cumulative absences do not exceed

16 (A) 180 days in addition to any absence or cumulative absences
17 claimed under (3) of this subsection if the individual is not claiming an absence
18 under (1), (2), or (4) - (16) of this subsection;

19 (B) 120 days in addition to any absence or cumulative absences
20 claimed under (1) - (3) of this subsection if the individual is not claiming an
21 absence under (4) - (16) of this subsection but is claiming an absence under (1)
22 or (2) of this subsection; or

23 (C) 45 days in addition to any absence or cumulative absences
24 claimed under (1) - (16) of this subsection if the individual is claiming an
25 absence under (4) - (16) of this subsection.

26 * **Sec. 3.** AS 43.23.005(a)(4), 43.23.005(f), and 43.23.008(e) are repealed.

27 * **Sec. 4.** This Act takes effect January 1, 2023.