

HOUSE BILL NO. 10

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-NINTH LEGISLATURE - FIRST SESSION

BY REPRESENTATIVE MUÑOZ

Introduced: 1/9/15

Referred: Prefiled

A BILL

FOR AN ACT ENTITLED

1 **"An Act relating to allowable absences from the state for medical emergencies for**
2 **purposes of eligibility for permanent fund dividends; and providing for an effective**
3 **date."**

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

5 *** Section 1.** AS 43.23.008(a) is amended to read:

6 (a) Subject to (b) and (d) of this section, an otherwise eligible individual who
7 is absent from the state during the qualifying year remains eligible for a current year
8 permanent fund dividend if the individual was absent

9 (1) receiving secondary or postsecondary education on a full-time
10 basis;

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

14 (3) serving on active duty as a member of the armed forces of the

1 United States or accompanying, as that individual's spouse, minor dependent, or
2 disabled dependent, an individual who is

3 (A) serving on active duty as a member of the armed forces of
4 the United States; and

5 (B) eligible for a current year dividend;

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

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

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

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

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

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

19 (10) serving on the staff of a member from this state of the United
20 States Congress;

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

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

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

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

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

30 (16) participating for educational purposes in a student fellowship
31 sponsored by the United States Department of Education or by the United States

1 Department of State;

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

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

7 (B) 120 days in addition to any absence or cumulative absences
8 claimed

9 (i) under (1) - (3) of this subsection if the individual is
10 not claiming an absence under (4) - (16) of this subsection but is
11 claiming an absence under (1) or (2) of this subsection; or

12 **(ii) under (1) - (16) of this subsection if the**
13 **individual is claiming an absence under (5) or (12) of this**
14 **subsection for an unplanned medical emergency, the individual**
15 **returns to the state immediately following the treatment for the**
16 **unplanned medical emergency, and the 120 days of absence or**
17 **cumulative absences occur before the absence claimed under (5) or**
18 **(12) of this subsection for the unplanned medical emergency; in**
19 **this sub-subparagraph, "unplanned medical emergency" means an**
20 **unanticipated illness or injury that requires immediate care out of**
21 **the state to relieve the acute illness or injury; or**

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

25 * **Sec. 2.** The uncodified law of the State of Alaska is amended by adding a new section to
26 read:

27 APPLICABILITY. Notwithstanding permanent fund dividend application procedures
28 or deadlines, an individual who qualifies for a 2015 or 2016 permanent fund dividend under
29 AS 43.23.008(a)(17)(B)(ii), enacted by sec. 1 of this Act, may apply for the dividend or for an
30 eligible minor's dividend by December 31, 2015. The Department of Revenue shall prepare a
31 form for application under this section.

1 * **Sec. 3.** The uncodified law of the State of Alaska is amended by adding a new section to
2 read:

3 **RETROACTIVITY.** Sections 1 and 2 of this Act are retroactive to January 1, 2015.

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