

Summary Statement

SB 241- Coronavirus Emergency Response Bill¹

Directly Applicable Provisions for Valdez:

Section 13: Municipal Government Deadlines

Any deadline established under AS 29 that occurs after the effective date of SB 241 is extended until November 15, 2020 or until the public health disaster emergency no longer exists (whichever is first).

AS 29.45.060(b): Farm or agricultural land reduced assessment must be filed by May 15th.

AS 29.45.062(b): Landowners with conservation easements must apply by May 15th for the reduced assessment.

AS 29.45.065(b): Private airport reduced assessments due May 15th.

AS 29.45.110(d): LIHTC assessment application is due by May 15th

AS 29.45.190(b): taxpayer has 30 days from the notice of assessment to submit a written appeal to the assessor.

(AS 29.45.240- the municipality shall establish the date when taxes become delinquent, with the rate to be set before June 15)

Section 19: Moratorium on Disconnections of Residential Utility Services

- Public utilities (very broad definition to mean utility furnishing electric, telecommunications, water, steam, sewer, natural or manufactured gas, petroleum distribution, garbage, refuse, trash, or waste material) may not disconnect for nonpayment if the person is experiencing financial hardship due to the COVID-19 public health disaster. If they already disconnected and the person faced the hardship on or after March 11, the public utility must make reasonable efforts to reconnect them.
- A person must provide a signed sworn statement to the utility regarding the hardship and must negotiate and agree to a deferred payment agreement. The public utility may recover all amounts due. Repayment plans may not be shorter than the period of declared emergency. The utility cannot impose interest or late fees on anyone who fulfills the terms of the deferred payment agreement.

Section 20: Regulatory Assets for Unpaid Utility Bills and Extraordinary Expenses

A certified utility may record regulatory assets, to be recovered through future rates, for uncollectable residential utility bills and extraordinary expenses that result from the emergency.

Section 15: Workers' Compensation Presumption

¹ Sections 15, 22-32 are retroactive to March 11, 2020.

An employee who contracts COVID-19 is conclusively presumed to have contracted an occupational disease arising out of and in the course of employment IF (1) the employee is a firefighter, emergency medical technician, paramedic, peace officer, or health care provider; (2) is exposed to COVID-19 in the course of their employment; 3) receives a COVID-19 diagnosis by a physician, test, or lab.

Section 10 & 16: Permanent Fund Dividend

- Application period for the 2020 PFD is extended to April 30, 2020.
- Residents who are absent from Alaska on or after March 11, 2020 who would otherwise be eligible for the PFD may notify the Commissioner of DOR and remain eligible if the absence is the result of the emergency (such as quarantine periods and travel bans)

Section 21: Moratorium on Evictions for Nonpayment of Rent (limited to residential tenants)

- Until June 30, 2020 or until the emergency no longer exists (whichever is earlier), the deadlines for FED actions for nonpayment of rent or any cause of action to evict a residential tenant for nonpayment of rent (including rent for a storage unit for personal property) is suspended if the tenant is experiencing financial hardship related to the emergency.
- To receive protection, the tenant must supply a sworn signed statement to their landlord that their financial hardship is related to the emergency.
- A tenant can still be evicted for misconduct, violations of law, or violation of contract not related to nonpayment of rent.
- Landlord may still collect back rent after the emergency.

Section 24: Moratorium on Foreclosures

- Any action used to foreclose on real property is suspended if applied to a person experiencing financial hardship related to the emergency.
- To receive protection, the person must supply the creditor a signed sworn statement that their financial hardship is related to the emergency.
- This protection does not apply to property that is vacant or abandoned.
- The creditor may still collect the amounts due after the emergency.

Section 27: Moratorium on Repossession of Motor Vehicles

- A creditor cannot repossess a motor vehicle, aircraft, or watercraft under a loan or security agreement if a person is suffering financial hardship related to the emergency.
- To receive protection, the person must supply the creditor a signed sworn statement that their financial hardship is related to the emergency.
- The creditor may still collect the amounts due after the emergency.

Section 30: Financial Assistance to Address Homelessness

During the emergency, or until November 15, 2020, Alaska Housing Finance Corporation shall provide financial assistance on a community basis as necessary to address homelessness caused by the emergency.

Other Provisions of Interest:

Section 11: Tax Filings, Payments, and Penalties

- Anyone required to file a tax return to DOR, pay taxes, fees, or charges to DOR between the date of SB 241 and July 15, 2020 will automatically have the date extended to July 15, 2020. Penalties and interest will not be assessed if the taxpayer complies with filing and payments by July 15, 2020.
- This does not apply to delinquencies prior to the enacting of SB 241.
- Excludes oil and gas production taxes, oil surcharges, oil and gas exploration, production and pipeline transportation property taxes

Section 22: Income Determinations for Public Assistance

Any program administered by a municipality where eligibility is based on financial need, the municipality cannot consider the PFD or money paid to the individual by another State or Federal Program as the result of the emergency as income unless expressed otherwise.

Section 23: Forbearance of State loans

Borrowers of State loans (State of Alaska, AIDEA, ACPE, or other public loans- but not PFD Corporation, Alaska Mental Health Trust, Alaska Municipal Bond Bank., Retirement Management Board, or Treasury Division of DOR) cannot be found in default if the borrower is experiencing financial hardship due to the emergency. The creditor under the State loan program can still recover the amounts after the emergency.

Section 4: Standing Orders

Grants immunity for civil damages to the chief medical officer resulting from act or omission in standing orders issued to health care providers. This immunity is extended to public health providers who act on that standing order (does not shield against gross negligence, recklessness, or intentional misconduct).

Section 6: Professional and Occupational Licensing

- Licensing fees may not be increased during the emergency.
- A license, permit, or certificate may be issued on an expedited basis to a professional licensed in another State to respond to the emergency in Alaska.
- Continuing education requirements may also be modified or waived in 2020.

Section 9: Elections

Elections may be done by mail.

Section 14: Alaska Regional Economic Assistance Program

Allows State to make grants for financial assistances to businesses for operating expenses during the public health disaster emergency, with grants distributed based on regional population.

Section 26: Unfair or Deceptive Trade Practices

- A person cannot charge more than 10% over the price charged for supplies (food, medicine, medical equipment, fuel, sanitation products, hygiene products, essential household supplies, and other essential goods).

- Only exception is if the charge that exceeds 10% is the result of increased cost for the seller to purchase those supplies. For fuel- normal market fluctuations may excuse the cost.