

# Fiscal Note

State of Alaska  
2023 Legislative Session

Bill Version: SB 53  
Fiscal Note Number: \_\_\_\_\_  
( ) Publish Date: \_\_\_\_\_

Identifier: SB053-LAW-CJL-02-17-23  
Title: FIVE-YEAR INVOLUNTARY COMMITMENTS  
Sponsor: CLAMAN  
Requester: (S) HSS

Department: Department of Law  
Appropriation: Criminal Division  
Allocation: Criminal Justice Litigation  
OMB Component Number: 2202

## Expenditures/Revenues

Note: Amounts do not include inflation unless otherwise noted below.

(Thousands of Dollars)

	FY2024 Appropriation Requested	Included in Governor's FY2024 Request	Out-Year Cost Estimates				
OPERATING EXPENDITURES	FY 2024	FY 2024	FY 2025	FY 2026	FY 2027	FY 2028	FY 2029
Personal Services	273.7		273.7	273.7	273.7	273.7	273.7
Travel	2.0						
Services	50.0		50.0	50.0	50.0	50.0	50.0
Commodities	10.0						
Capital Outlay							
Grants & Benefits							
Miscellaneous							
<b>Total Operating</b>	<b>335.7</b>	<b>0.0</b>	<b>323.7</b>	<b>323.7</b>	<b>323.7</b>	<b>323.7</b>	<b>323.7</b>

## Fund Source (Operating Only)

1004 Gen Fund (UGF)	335.7		323.7	323.7	323.7	323.7	323.7
<b>Total</b>	<b>335.7</b>	<b>0.0</b>	<b>323.7</b>	<b>323.7</b>	<b>323.7</b>	<b>323.7</b>	<b>323.7</b>

## Positions

Full-time	2.0		2.0	2.0	2.0	2.0	2.0
Part-time							
Temporary							

## Change in Revenues

None							
<b>Total</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

**Estimated SUPPLEMENTAL (FY2023) cost:** 0.0 (separate supplemental appropriation required)

**Estimated CAPITAL (FY2024) cost:** 0.0 (separate capital appropriation required)

**Does the bill create or modify a new fund or account?** No  
(Supplemental/Capital/New Fund - discuss reasons and fund source(s) in analysis section)

## ASSOCIATED REGULATIONS

Does the bill direct, or will the bill result in, regulation changes adopted by your agency? No  
If yes, by what date are the regulations to be adopted, amended or repealed? N/A

## Why this fiscal note differs from previous version/comments:

Not applicable, initial version

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Division:	Administrative Services Division	Date:	02/17/2023 01:00 PM
Approved By:	Amber LeBlanc, Administrative Services Director	Date:	02/17/23
Agency:	Department of Law		

## FISCAL NOTE ANALYSIS

STATE OF ALASKA  
2023 LEGISLATIVE SESSION

BILL NO. SB 53

### Analysis

This bill requires the Criminal Division to file a petition for civil commitment under AS 47.30 upon dismissal of a criminal case due to the defendant being incompetent to stand trial. Petitions for civil commitment are not routinely filed by prosecutors, therefore, the Criminal Division is requesting one additional attorney and an associated law office assistant. Between calendar years 2020 and 2022 there were approximately 178 cases dismissed because the defendant was not competent and either not restorable or while the person was still on the restoration waitlist.

The Criminal Division would need an additional attorney 5 and an associated law office assistant 2 located in Anchorage to handle this additional work. The expenses for these positions include:

Personal Services:	\$273.7 per year for one partially exempt Attorney 5 (range 25) and one Law Office Assistant 2 (range 13)
Travel:	\$2.0 in FY2024 only for new employee to attend training
Services:	\$50.0 for statewide and department allocated core services costs
Commodities:	\$10.0 in FY2024 only for setup costs for new employees