

Fiscal Note

State of Alaska
2025 Legislative Session

Bill Version: HB 97
Fiscal Note Number: _____
() Publish Date: _____

Identifier: HB097-DOC-IDO-2-24-25
Title: ORG. RETAIL THEFT/FUND;MKTPLACE SALES
TAX
Sponsor: FIELDS
Requester: (H) JUD

Department: Department of Corrections
Appropriation: Population Management
Allocation: Institution Director's Office
OMB Component Number: 1381

Expenditures/Revenues

Note: Amounts do not include inflation unless otherwise noted below. (Thousands of Dollars)

| | FY2026 Appropriation Requested | Included in Governor's FY2026 Request | Out-Year Cost Estimates | | | | | |
|-------------------------------|--------------------------------------|--|-------------------------|------------|------------|------------|------------|------------|
| | | | FY 2026 | FY 2027 | FY 2028 | FY 2029 | FY 2030 | FY 2031 |
| OPERATING EXPENDITURES | | | | | | | | |
| Personal Services | | | | | | | | |
| Travel | | | | | | | | |
| Services | | | | | | | | |
| Commodities | | | | | | | | |
| Capital Outlay | | | | | | | | |
| Grants & Benefits | | | | | | | | |
| Miscellaneous | | | | | | | | |
| Total Operating | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 |

Fund Source (Operating Only)

| | | | | | | | | |
|--------------|------------|------------|------------|------------|------------|------------|------------|------------|
| None | | | | | | | | |
| Total | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 |

Positions

| | | | | | | | | |
|-----------|--|--|--|--|--|--|--|--|
| Full-time | | | | | | | | |
| Part-time | | | | | | | | |
| Temporary | | | | | | | | |

Change in Revenues

| | | | | | | | | |
|--------------|------------|------------|------------|------------|------------|------------|------------|------------|
| None | | | | | | | | |
| Total | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 |

Estimated SUPPLEMENTAL (FY2025) cost: 0.0 *(separate supplemental appropriation required)*

Estimated CAPITAL (FY2026) 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If yes, by what date are the regulations to be adopted, amended or repealed?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.

| | |
|--|----------------------------------|
| Prepared By: <u>Kevin Worley, Director</u> | Phone: <u>(907)465-1416</u> |
| Division: <u>Administrative Services</u> | Date: <u>02/24/2025 09:00 AM</u> |
| Approved By: <u>April Wilkerson, Deputy Commissioner</u> | Date: <u>02/24/25</u> |
| Agency: <u>Department of Corrections</u> | |

FISCAL NOTE ANALYSIS

STATE OF ALASKA
2025 LEGISLATIVE SESSION

BILL NO. HB097

Analysis

This bill addresses organized retail theft, property crimes, and theft penalties and also establishes a sales tax on the annual gross sales of property or services by a marketplace facilitator.

This bill amends various sections in AS 11.46 by lowering the felony and misdemeanor dollar amounts for theft crimes and adds organized retail theft as a factor in sentencing.

This bill reduces the amount of the value of property or services when determining when a person commits a crime of theft in the first, second, third, and fourth degrees, as well as adding organized retail theft under AS 11.46.215.

Additionally, this bill amends Alaska Statute 43 by adding Chapter 72 - Marketplace Facilitator Sales Tax, which levies a sales tax of two percent on the annual gross sales of property or services delivered in the state by a marketplace facilitator. The new tax revenue will be used to support law enforcement efforts against retail theft. Under AS 43.72.110, the legislature may appropriate from this new sales tax to law enforcement agencies to investigate and prosecute organized retail theft under AS 11.46.215. It is not clear what fiscal impact the sales tax will have and how much would be appropriated to the department. Therefore, the department is unable to determine the impact of this portion of the bill.

While it is expected that this bill may have an impact on the daily offender population and length of supervision/incarceration, there is no data available to project the actual impact. Additionally, there are offenders that could be incarcerated with more severe offenses.

Based on the current prison population and departmental supervision services, an increase can be absorbed within the department's existing resources and capacity when considering pretrial services, electronic monitoring, community residential centers, as well as the correctional facilities. Therefore, a zero fiscal note is submitted for this bill.