

FISCAL NOTE

STATE OF ALASKA 2011 LEGISLATIVE SESSION

Fiscal Note Number	
Bill Version	<u>HB007SCS(JUD)</u>
() Publish Date	<u>3/28/2011</u>

Identifier (file name)	HB007SCS-DOC-OC-04-15-11	Dept. Affected	DOC
Title	"An Act classifying synthetic cannabinoids as schedule IIIA	Appropriation	Admin & Support
Sponsor	Rep. Munoz, Herron, Kerttula, Gatto, Lynn & Pruitt	Allocation	Commissioner's Office
Requester	Judiciary Committee	OMB Component Number	694

Expenditures/Revenues (Thousands of Dollars)

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

	Appropriation Required	Information					
		FY 2012	FY 2012	FY 2013	FY 2014	FY 2015	FY 2016
OPERATING EXPENDITURES							
Personal Services							
Travel							
Services							
Commodities							
Capital Outlay							
Grants							
Miscellaneous							
TOTAL OPERATING	**	**	**	**	**	**	**
CAPITAL EXPENDITURES	0.0	0.0	0.0	0.0	0.0	0.0	0.0
CHANGE IN REVENUES							

FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts 1003 GF Match 1004 GF 1005 GF/Program Receipts 1037 GF/Mental Health Other (please identify)							
	TOTAL	**	**	**	**	**	**

Estimate of any current year (FY2011) cost 0.0

POSITIONS

Full-time Part-time Temporary							

Why this fiscal note differs from previous version (if initial version, please note as such)

This version of the bill includes charges for possession of organic herbs that contain synthetic cannabinoids.

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Approved by	Joseph D. Schmidt, Commissioner Dept. of Corrections

Phone 465-3339
Date/Time 4/15/2011 6:30 p.m.
Date 4/15/2011

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Analysis

This legislation makes synthetic cannabinoids a schedule IIIA controlled substance.

Currently, possession of a schedule IIIA is a Class A misdemeanor if the amount possessed is less than 3 grams (AS 11.71.050) or a Class C Felony if the amount possessed is over 3 grams (AS 11.71.040). Manufacturing or delivering a schedule IIIA controlled substance is a Class B felony (AS 11.71.030). The sentences for these crimes range anywhere from 0 - 10 years.

The current average daily cost of care to house an inmate is \$136.44. Therefore, housing one offender could have a potential impact to the department ranging from \$0.0 (no time served) to \$498.0 (for a 10-year sentence).

This bill makes possession of the liquid form of synthetic cannabinoids a class C felony for possession of 3 grams or more a class A misdemeanor for 3 grams or less.

Additionally, this legislation would make possession of 12 grams or more of organic herbs that contain synthetic cannabinoids a class C felony. Possession of 6-12 grams of organic herbs that contain synthetic cannabinoids a class A misdemeanor and possession of 6 grams and under of organic herbs that contain synthetic cannabinoids a class B misdemeanor.

Department of Corrections is unable to determine the fiscal impacts of the passage of this legislation, as we cannot estimate the total number of actual violations that will occur. Should this legislation pass, the department will closely monitor the fiscal impact.