

# FISCAL NOTE

STATE OF ALASKA  
2010 LEGISLATIVE SESSION

Fiscal Note Number: \_\_\_\_\_  
Bill Version: **HB 275**  
( ) Publish Date: \_\_\_\_\_

Identifier (file name): HB275-LAW-CIV-03-19-10

Dept. Affected: Law

Title An Act authorizing certain causes of action for relief for direct or indirect injuries sustained as a result of antitrust viloations...  
RDU Civil  
Component Commercial and Fair Business

Representative(s) Gruenberg, Buch, Cissna, Crawford, Foster, Gara, Gardner, Guttenberg, Holmes, Kawasaki, Kerttula, Peterson, Doogan  
Sponsor Doogan  
Requester Labor & Commerce Component Number 2717

## Expenditures/Revenues (Thousands of Dollars)

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

	Appropriation Required	Information					
OPERATING EXPENDITURES	FY 2011	FY 2011	FY 2012	FY 2013	FY 2014	FY 2015	FY 2016
Personal Services							
Travel							
Contractual							
Supplies							
Equipment							
Land & Structures							
Grants & Claims							
Miscellaneous							
<b>TOTAL OPERATING</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>
<b>CAPITAL EXPENDITURES</b>							
<b>CHANGE IN REVENUES ( )</b>							

## FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts							
1003 GF Match							
1004 GF							
1005 GF/Program Receipts							
1037 GF/Mental Health							
Other Interagency Receipts							
<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>

Estimate of any current year (FY2010) cost: \_\_\_\_\_

## POSITIONS

Full-time							
Part-time							
Temporary							

**ANALYSIS:** (Attach a separate page if necessary)

See attached page...

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Approved by: Daniel S. Sullivan, Attorney General  
Department of Law

Phone 465-5427  
Date/Time 3/19/10 3:00 PM  
Date 3/19/2010

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BILL NO. HB 275

### **ANALYSIS CONTINUATION**

Sections 1 – 9 of HB 275 amend several parts of Alaska's antitrust statutes to allow private parties to bring an action to recover damages on behalf of "indirect purchasers" who suffer harm as a result of an antitrust violation. Currently, only the attorney general is authorized to bring such an action. "Indirect purchasers" include, for example, consumers who pay inflated prices for goods or services from a retailer, but the illegal conduct (like price fixing) occurred upstream from the retailer, perhaps between the manufacturer and the distributor.

Section 10 of the bill amends the criminal penalty provision in Alaska's antitrust statute increase the penalty for violation of the law from a misdemeanor to a class C felony, and increase the fine from \$20,000 to \$1,000,000 for an individual, and from \$50,000 to \$50,000,000 for a business. Section 11 adds a civil penalty provision that is consistent with the fines allowable under the criminal penalty section.

The amendments to the statute will have no fiscal impact on the Department of Law.