

# FISCAL NOTE

## STATE OF ALASKA 2010 LEGISLATIVE SESSION

Identifier (file name):	HB275-LAW-CIV-03-19-10	Fiscal Note Number:		
Title	An Act authorizing certain causes of action for relief for direct or indirect injuries sustained as a result of antitrust violations...	Bill Version:	HB 275	
		() Publish Date:		
Sponsor	Representative(s) Gruenberg, Buch, Cissna, Crawford, Foster, Gara, Gardner, Guttenberg, Holmes, Kawasaki, Kerttula, Peterson, Doogan	Dept. Affected:	Law	
Requester	Labor & Commerce	Component	Civil	
		Commercial and Fair Business		
		Component Number	2717	

### Expenditures/Revenues (Thousands of Dollars)

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

	Appropriation Required	Information					
		FY 2011	FY 2011	FY 2012	FY 2013	FY 2014	FY 2015
<b>OPERATING EXPENDITURES</b>							
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>						

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

### POSITIONS

Full-time Part-time Temporary							

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

See attached page...

Prepared by: Eileen Donahue, Division Operations Manager	Phone 465-5427
Division Administrative Services	Date/Time 3/19/10 3:00 PM
Approved by: Daniel S. Sullivan, Attorney General	Date 3/19/2010
Department of Law	

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**BILL NO.** HB 275

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### **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.