

# FISCAL NOTE

STATE OF ALASKA  
2011 LEGISLATIVE SESSION

Fiscal Note Number \_\_\_\_\_  
Bill Version HB072 \A  
( ) Publish Date \_\_\_\_\_

Identifier (file name): HB072-LAW-CIV-03-25-11

Title An Act authorizing and relating to certain antitrust actions and penalties.

Dept. Affected Law  
Appropriation Civil  
Allocation Commercial and Fair Business

Sponsor REPRESENTATIVE(s) GRUENBER, PETERSEN

Requester (H) LABOR & COMMERCE

OMB Component Number 2717

## Expenditures/Revenues

(Thousands of Dollars)

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

	Appropriation Required	Information					
		FY 2012	FY 2013	FY 2014	FY 2015	FY 2016	FY 2017
<b>OPERATING EXPENDITURES</b>							
Personal Services							
Travel							
Services							
Commodities							
Capital Outlay							
Grants							
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>CAPITAL EXPENDITURES</b>							
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<b>CHANGE IN REVENUES</b>							
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## FUND SOURCE

(Thousands of Dollars)

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

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)

Not applicable, initial version.

Prepared by Eileen Donahue, Division Operations Manager

Division Administrative Services

Approved by John J. Burns, Attorney General

Department of Law

Phone 465-5427

Date/Time 3/25/11 10:00 AM

Date 3/25/2011

## FISCAL NOTE

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2011 LEGISLATIVE SESSION

BILL NO. HB072 \A

### Analysis

Sections 1 – 9 of HB 72 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 to 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.