

# FISCAL NOTE

**STATE OF ALASKA**  
**2012 LEGISLATIVE SESSION**

Bill Version HB 293  
 Fiscal Note Number \_\_\_\_\_  
 () Publish Date \_\_\_\_\_

Identifier (file name) HB293-LAW-CRIM-02-10-12 Dept. Affected Law  
 Title An act relating to the rights of crime victims; Appropriation Criminal  
relating to duties of prosecuting attorneys. Allocation Criminal Justice Litigation  
 Sponsor REPRESENTATIVE TUCK  
 Requester (H) Judiciary OMB Component Number 2202

**Expenditures/Revenues** (Thousands of Dollars)

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

	FY13 Appropriation Requested	Included in Governor's FY13 Request	Out-Year Cost Estimates				
OPERATING EXPENDITURES	FY13	FY13	FY14	FY15	FY16	FY17	FY18
Personal Services	***	***	***	***	***	***	***
Travel							
Services							
Commodities							
Capital Outlay							
Grants, Benefits							
Miscellaneous							
<b>TOTAL OPERATING</b>	***	***	***	***	***	***	***

FUND SOURCE (Thousands of Dollars)							
1002	Federal Receipts						
1003	GF Match						
1004	GF						
1005	GF/Prgm (DGF)						
1037	GF/MH (UGF)						
1178	temp code (UGF)						
<b>TOTAL</b>		***	***	***	***	***	***

POSITIONS							
Full-time							
Part-time							
Temporary							

CHANGE IN REVENUES							
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**Estimated SUPPLEMENTAL (FY12) operating costs** \_\_\_\_\_ (separate supplemental appropriation required)  
 (discuss reasons and fund source(s) in analysis section)

**Estimated CAPITAL (FY13) costs** \_\_\_\_\_ (separate capital appropriation required)  
 (discuss reasons and fund source(s) in analysis section)

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

Not applicable, initial version.

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Department of Law

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 Date/Time 2/10/12 7:30 PM  
 Date 2/10/2012

## FISCAL NOTE

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BILL NO. HB 293

### Analysis

HB 293 provides that a victim has the right to be notified of a request for a continuance that may substantially delay the prosecution of a case, including the trial, sentencing, appeal, and any hearing addressing the defendant's release from custody. It requires the prosecution to inform the victim of any pending motion that may substantially delay the prosecution and to inform the court of the victim's position on the motion. The term "substantially" is not defined.

It could be argued that the prosecution and the courts are already considering the victim's position before granting a motion to continue a case and that the additional requirements in the bill are unnecessary. To the extent that the position of victims are not already being considered by the court, this bill could add to the cost of a prosecution.

For example **Section 1** requires notice of a request for a continuance and applies to both felonies and misdemeanors. In 2011 the state prosecuted 7,561 felonies and 22, 721 misdemeanors. Additional notification could require significant staff time.

Therefore the fiscal impact cannot be accurately determined.