

FISCAL NOTE

STATE OF ALASKA
2012 LEGISLATIVE SESSION

Bill Version HB359-ACS-TRC-2-28-12
 Fiscal Note Number _____
 Publish Date _____

Identifier (file name) HB359-ACS-TRC-2-28-2012 Dept. Affected Alaska Court System
 Title Human trafficking; furnishing indecent material to minors; Appropriation Trial Courts
video conferencing Allocation _____
 Sponsor Rules
 Requester Request of the Governor OMB Component Number 768

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							
TOTAL OPERATING	***	***	***	***	***	***	***

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)						
TOTAL		***	***	***	***	***	***

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)

Initial version

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 Division Alaska Court System
 Approved by Nancy Meade for Christine Johnson, Administrative Director
Alaska Court System

Phone 907-463-4736
 Date/Time 2/28/2012 1:00 p.m.
 Date 2/28/2012

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Analysis

House Bill 359 changes the crimes of prostitution in the first, second, third and fourth degrees to sex trafficking, and adds the crimes of human trafficking and sex trafficking in the first degree to the definition of "serious felony offense" under the conspiracy law. These changes have no fiscal impact on the court system.

The bill also amends the crime of distribution of indecent materials to minors (AS 11.61.128(a)) by requiring intent and knowledge as elements of the crime, it creates new crimes, and it requires persons with a sex offense in another jurisdiction to register as a sex offender in Alaska. These changes could have the effect of changing the number and types of criminal cases that are filed with and handled by the court system. However, the number of cases filed under AS 11.61.128(a) in FY 2011 was low, and the court expects that it would handle any additional cases under this bill in the normal course, without any fiscal impact. The court will monitor the cases filed under the revised statutes to determine whether the bill does cause a significant change, but a fiscal impact from those revisions is not expected.

In addition, Section 25 of House Bill 359 adds a Rule of Criminal Procedure that allows for two-way videoconferencing for witness testimony in criminal trials when the parties agree or when the court authorizes it because it is found to be necessary to further an important public policy, the witness is not available, and the testimony is given under oath and subject to cross-examination. Similarly, Section 16 adds a new subsection to AS 12.47.100 allowing the testimony of witnesses in competency hearings to be presented by two-way videoconferencing in certain circumstances.

The court does not view this bill as requiring installation of high-quality, high-definition videoconferencing cameras, televisions, and speakers in courtrooms, and therefore is not basing its fiscal note on the high cost of that undertaking. Still, the bill may result in the increased costs associated with the increased use of "webcams" for the video testimony of witnesses, such as the costs of software and, possibly, access to increased bandwidth. The court cannot accurately determine how many trials and competency hearings might include testimony by videoconferencing under this bill, and therefore submits an indeterminate fiscal note.