

# Fiscal Note

State of Alaska  
2014 Legislative Session

Bill Version: HB 373  
Fiscal Note Number: \_\_\_\_\_  
( ) Publish Date: \_\_\_\_\_

Identifier: HB373-ACS-TRC-03-14-14  
Title: 24/7 TESTING; IGNITION INTERLOCKS  
Sponsor: JUDICIARY  
Requester: House Judiciary

Department: Alaska Court System  
Appropriation: Alaska Court System  
Allocation: Trial Courts  
OMB Component Number: 768

## Expenditures/Revenues

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

(Thousands of Dollars)

|                        | FY2015<br>Appropriation<br>Requested | Included in<br>Governor's<br>FY2015<br>Request | Out-Year Cost Estimates |            |            |            |            |
|------------------------|--------------------------------------|--|-------------------------|------------|------------|------------|------------|
| OPERATING EXPENDITURES | FY 2015                              | FY 2015  | FY 2016                 | FY 2017    | FY 2018    | FY 2019    | FY 2020    |
| Personal Services      |                                      |  |                         |            |            |            |            |
| Travel                 |                                      |  |                         |            |            |            |            |
| Services               |                                      |  |                         |            |            |            |            |
| Commodities            |                                      |  |                         |            |            |            |            |
| Capital Outlay         |                                      |  |                         |            |            |            |            |
| Grants & Benefits      |                                      |  |                         |            |            |            |            |
| 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> |

## Fund Source (Operating Only)

|              |            |            |            |            |            |            |            |
|--------------|------------|------------|------------|------------|------------|------------|------------|
| None         |            |            |            |            |            |            |            |
| <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> |

## Positions

|           |  |  |  |  |  |  |  |
|-----------|--|--|--|--|--|--|--|
| Full-time |  |  |  |  |  |  |  |
| Part-time |  |  |  |  |  |  |  |
| Temporary |  |  |  |  |  |  |  |

|                           |  |  |  |  |  |  |  |
|---------------------------|--|--|--|--|--|--|--|
| <b>Change in Revenues</b> |  |  |  |  |  |  |  |
|---------------------------|--|--|--|--|--|--|--|

**Estimated SUPPLEMENTAL (FY2014) cost:** 0.0 (separate supplemental appropriation required)  
(discuss reasons and fund source(s) in analysis section)

**Estimated CAPITAL (FY2015) cost:** 0.0 (separate capital appropriation required)  
(discuss reasons and fund source(s) in analysis section)

## ASSOCIATED REGULATIONS

Does the bill direct, or will the bill result in, regulation changes adopted by your agency? No  
If yes, by what date are the regulations to be adopted, amended or repealed?

## Why this fiscal note differs from previous version:

Initial version.

|              |  |        |                     |
|--------------|--|--------|---------------------|
| Prepared By: | Nancy Meade, General Counsel                               | Phone: | (907)463-4736       |
| Division:    | Alaska Court System  | Date:  | 03/14/2014 12:00 PM |
| Approved By: | Nancy Meade for Christine Johnson, Administrative Director | Date:  | 03/14/14            |
| Agency:      | Alaska Court System  |        |                     |

## FISCAL NOTE ANALYSIS

STATE OF ALASKA  
2014 LEGISLATIVE SESSION

BILL NO. HB373

### Analysis

House Bill 373 is not expected to have a fiscal impact on the Alaska Court System, which submits this zero fiscal note.

Sections 1-3 allow a judicial officer to impose an additional specific condition on defendants who are released on bail if they are charged with serious crimes that are alcohol or drug-related, crimes involving domestic violence, drug crimes, or crimes of driving under the influence or refusal to take a chemical breath test. The condition would require the defendant to comply with a program established by the Department of Health and Social Services (Section 10, new AS 47.38.010-.020.) for daily testing of the person for alcohol or substance abuse (sometimes referred to as a "24/7 program"). Similarly, Section 4 allows a new condition of probation that would require the defendant to comply with the DHSS's 24/7 testing program. Imposing this as a bail condition or condition of probation for appropriate defendants would not have a fiscal impact on the court system.

Sections 5-7 of HB 373 establish a means for defendants charged with misdemeanor DUI, and who therefore have their driver's licenses revoked, to have the court or the Division of Motor Vehicles grant a limited license. This can be done under current law after a set time period (page 5, lines 26-29) if the person uses an ignition interlock device, and completes other requirements. These sections of the bill would provide the court or DMV with the discretion to allow the limited license as long as the defendant complies with daily testing and other requirements under the 24/7 monitoring program, as an alternative to the requirement for an ignition interlock device. The court can implement these new provisions without fiscal impact.

Sections 8 and 9 give the court authority to waive the existing requirement that defendants use an ignition interlock device after they regain the privilege to drive after a conviction for DUI (section 8) or refusal to take a breath test (section 9). The court may waive the ignition interlock requirement if the court requires the person to comply with the 24/7 monitoring program. The court can apply this provision without fiscal impact.