

Fiscal Note

State of Alaska
2015 Legislative Session

Bill Version: SB 82
Fiscal Note Number: _____
() Publish Date: _____

Identifier: SB082CS-ACS-TRC-03-26-15
Title: ALCOHOL/SUBST ABUSE PROGRAM
MITIGATION
Sponsor: MCGUIRE
Requester: Senate Judiciary Committee

Department: Judiciary
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)

	FY2016	Included in	Out-Year Cost Estimates				
	Appropriation Requested	Governor's FY2016 Request	FY 2017	FY 2018	FY 2019	FY 2020	FY 2021
OPERATING EXPENDITURES	FY 2016	FY 2016	FY 2017	FY 2018	FY 2019	FY 2020	FY 2021
Personal Services							
Travel							
Services							
Commodities							
Capital Outlay							
Grants & Benefits							
Miscellaneous							
Total Operating	0.0	0.0	0.0	0.0	0.0	0.0	0.0

Fund Source (Operating Only)

None							
Total	0.0	0.0	0.0	0.0	0.0	0.0	0.0

Positions

Full-time							
Part-time							
Temporary							

Change in Revenues

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

Estimated CAPITAL (FY2016) 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If yes, by what date are the regulations to be adopted, amended or repealed?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.

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Division: <u>Alaska Court System</u>	Date: <u>03/26/2015 12:00 PM</u>
Approved By: <u>Nancy Meade for Christine Johnson, Administrative Director</u>	Date: <u>03/26/15</u>
Agency: <u>Alaska Court System</u>	

FISCAL NOTE ANALYSIS

STATE OF ALASKA
2015 LEGISLATIVE SESSION

BILL NO. SB82

Analysis

Senate Bill 82 adds a new mitigating factor, factor number 21, to the existing list in AS 12.55.155(d). These are factors that, if proven, the court shall consider when a defendant is being sentenced after being convicted of a class A, B, or C felony, or certain sexual and other felonies. If a mitigating factor is proven, the court may impose a sentence that is below the presumptive sentencing ranges set out in AS 12.55.125.

The new mitigating factor added in SB 82 allows a defendant to establish that he or she successfully complied with the conditions of the alcohol and substance abuse program run by the Department of Health and Human Services (this program is commonly referred to as the "24/7 program") as a condition of their release on bail before the sentencing.

The courts currently hear arguments from the parties concerning an appropriate sentence, and many factors are discussed and considered at these hearings. Having an additional factor to be considered in certain cases will change the items under discussion in some sentencing hearings, but will not materially impact our operations.

The court system can implement this bill with no fiscal impact, and therefore submits this zero fiscal note.