

Fiscal Note

State of Alaska
2018 Legislative Session

Bill Version: HB 75
Fiscal Note Number: _____
() Publish Date: _____

Identifier: HB075-JUD-ACS-02-28-18
Title: GUN VIOLENCE PROTECTIVE ORDERS
Sponsor: TARR
Requester: House 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)

	FY2019 Appropriation Requested	Included in Governor's FY2019 Request	Out-Year Cost Estimates				
OPERATING EXPENDITURES	FY 2019	FY 2019	FY 2020	FY 2021	FY 2022	FY 2023	FY 2024
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

None							
Total	0.0	0.0	0.0	0.0	0.0	0.0	0.0

Estimated SUPPLEMENTAL (FY2018) cost: 0.0 (separate supplemental appropriation required)
(discuss reasons and fund source(s) in analysis section)

Estimated CAPITAL (FY2019) 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If yes, by what date are the regulations to be adopted, amended or repealed?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/comments:

Initial version.

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Division:	Alaska Court System	Date:	02/28/2018 01:00 PM
Approved By:	Nancy Meade for Christine Johnson, Administrative Director	Date:	02/28/18
Agency:	Alaska Court System		

FISCAL NOTE ANALYSIS

STATE OF ALASKA
2018 LEGISLATIVE SESSION

BILL NO. HB 75

Analysis

House Bill 75 establishes a new type of protective order that a court could grant to a petitioner, under certain circumstances. A petitioner could seek a new "gun violence protective order" on an ex parte basis (sec. 6, new AS 18.65.820, which expires after 20 days) and on a long term basis (sec. 6, new AS 18.65.815, which expires after six months), if a respondent poses a danger by possessing a firearm. If the court grants the petition and issues the protective order, the respondent must surrender his or her firearms to a local law enforcement agency within 24 hours. (Sec. 6, new AS 18.65.830).

Section 6, new AS 18.65.835(b) requires the court system to prepare forms for petitions and orders for use by persons seeking these protective orders and for judicial officers. The court system is able to create the required forms on paper with no fiscal impact. This zero fiscal note therefore reflects the cost of developing a set of paper forms for these proceedings. By contrast, a set of "smart" forms would cost \$65,000. (The court system would contract with a vendor to develop the forms.) Smart forms would be less time consuming for law enforcement to complete, would reduce the risk of data entry errors, and could be processed more quickly by the court. Although basic paper forms could certainly be used, spending the additional money now to automate the forms is likely to be a more cost-effective solution.

Implementing this new legislation administratively will include creating the new forms, programming CourtView to account for the new forms and the new case type, and preparing training information for judges, court staff, and the public. These tasks will be done by the court system's administrative staff in their normal work hours, and thus will not have a direct fiscal impact.

The court system submits this zero fiscal note. If the legislature determines that creating the forms electronically is the better approach, then the court system will update its fiscal note to reflect the actual costs of doing that, as discussed above.