

# Fiscal Note

State of Alaska  
2019 Legislative Session

Bill Version:	SB 33
Fiscal Note Number:	6
(S) Publish Date:	1/23/2019

Identifier: LL0030-2-DOC-IDO-01-22-19  
Title: CRIM PROCEDURE/PRETRIAL  
RELEASE/SENTENCE  
Sponsor: RLS BY REQUEST OF THE GOVERNOR  
Requester: (H) STA

Department: Department of Corrections  
Appropriation: Population Management  
Allocation: Institution Director's Office  
OMB Component Number: 1381

## Expenditures/Revenues

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

(Thousands of Dollars)

	FY2020 Appropriation Requested	Included in Governor's FY2020 Request	Out-Year Cost Estimates				
OPERATING EXPENDITURES	FY 2020	FY 2020	FY 2021	FY 2022	FY 2023	FY 2024	FY 2025
Personal Services	***		***	***	***	***	***
Travel							
Services							
Commodities							
Capital Outlay							
Grants & Benefits							
Miscellaneous							
<b>Total Operating</b>	***	<b>0.0</b>	***	***	***	***	***

## Fund Source (Operating Only)

None							
<b>Total</b>	***	<b>0.0</b>	***	***	***	***	***

## Positions

Full-time							
Part-time							
Temporary							

## Change in Revenues

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>

**Estimated SUPPLEMENTAL (FY2019) cost:** 0.0 (separate supplemental appropriation required)

**Estimated CAPITAL (FY2020) cost:** 0.0 (separate capital appropriation required)

**Does the bill create or modify a new fund or account?** No  
(Supplemental/Capital/New Fund - 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If yes, by what date are the regulations to be adopted, amended or repealed?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:

Not applicable, initial version.

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## FISCAL NOTE ANALYSIS

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## Analysis

Sections 1-3 of the bill extends the period of time before a person must be taken before a judge or magistrate from 24 to 48 hours. The department does not have data that explicitly documents when a defendant has an appearance before a judge or magistrate. However, doubling the length of time allowed before this hearing is required to occur is likely to result in increasing the daily average inmate count and thus a modest increased cost for incarceration.

Sections 11-12 of the bill eliminate credit granted against a sentence of imprisonment for time spent on electronic monitoring (EM). The department assumes that all credit previous granted will now be served in a facility. In CY2018 182 individuals who were on electronic monitoring immediately went to prison after EM. Their average length of time on EM was 81.6 days for a total of 14,852 days of EM for which this bill no longer gives credit. The department projects increased costs which it continues to work to quantify.

Section 18 establishes the default appearance mode for all hearings except trials and sentencing hearings to be via television system when available. The department currently has videoconferencing equipment in all of its facilities.

Section 19 allows defense attorneys to agree to a continuance. The department has no data which allows it project how often this option may be implemented. A continuance for a defendant in custody will increase incarceration costs by \$168.74 per day for each addition day of incarceration.

Elimination of pretrial results in the department's projected inmate count to increase by 205 inmates per day. The department projects increased costs which it continues to work to quantify.