

Fiscal Note

State of Alaska
2019 Legislative Session

Bill Version: HB 52
Fiscal Note Number: _____
() Publish Date: _____

Identifier: HB52-DOC-IDO-03-09-19
Title: CRIMES;SEX CRIMES;SENTENCING; PAROLE
Sponsor: RLS BY REQUEST OF THE GOVERNOR
Requester: (H)JUD

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	1,609.9		1,722.6	3,806.8	4,649.9	7,278.6	10,646.9
Total Operating	1,609.9	0.0	1,722.6	3,806.8	4,649.9	7,278.6	10,646.9

Fund Source (Operating Only)

1004 Gen Fund (UGF)	1,609.9		1,722.6	3,806.8	4,649.9	7,278.6	10,646.9
Total	1,609.9	0.0	1,722.6	3,806.8	4,649.9	7,278.6	10,646.9

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 (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If yes, by what date are the regulations to be adopted, amended or repealed?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. Based on the 2.13.19 Governor's FY2020 request.

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Agency: Office of Management and Budget

Phone: (907)465-3311
Date: 03/09/2019
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FISCAL NOTE ANALYSIS

STATE OF ALASKA
2019 LEGISLATIVE SESSION

BILL NO. HB52

Analysis

This bill limits the number of sex offenses where marriage can be used as a defense. Over the last ten years, the department documented an average of 12 incarcerations each year under the sex offenses added to this section. This bill could potentially increase the number of offenders incarcerated for these added offenses. At this time, it is not possible for the department to determine how often marriage was used as a defense in the past. The department projects a small increase in inmates as a result of this change. Year 1 an increase of 1.2 inmates with a cost of \$73.9; year 2 an increase of 2.4 inmates with a cost of \$147.8; year 3 an increase of 3.6 inmates with a cost of \$221.7; year 4 an increase of 4.8 inmates with a cost of \$295.6; year 5 an increase of 6.0 inmates with a cost of \$369.5; and year 6 an increase of 7.2 inmates with a cost of \$443.4.

This bill broadens the crime of enticement of a minor to include non-internet or computer related offenses. The department projects a small increase in inmates as a result of this change. Year 1 an increase of 0.49 inmates with a cost of \$30.2; year 2 an increase of 0.98 inmates with a cost of \$60.4; year 3 an increase of 1.47 inmates with a cost of \$90.5; year 4 an increase of 1.96 inmates with a cost of \$120.7; year 5 an increase of 2.44 inmates with a cost of \$150.3; and year 6 an increase of 2.93 inmates with a cost of \$180.5.

This bill adds repeatedly sending images of genitalia as a form of harassment. The department projects a small increase in inmates as a result of this change. Year 1 an increase of 2.36 inmates with a cost of \$145.4; year 2 an increase of 2.50 inmates with a cost of \$154.0; year 3 and subsequent years an increase of 2.65 inmates with a cost of \$163.2 each year.

This bill adds additional forms of behavior to the definition of indecent viewing. The department projects a small increase in inmates as a result of this change. Year 1 and subsequent years an increase of 0.90 inmates with a cost of \$55.4 each year.

This bill increases the presumptive sentencing for AS11.41.210(a)(1) for a first offense. The department projects an increase in inmates as a result of this change: years 1 and 2 an increase of 20 inmates with a cost of \$1,231.8 each year; years 3-6 an increase of 40 inmates with a cost of \$2,463.6 each year.

This bill increases the presumptive sentencing for AS11.41.210(a)(1) for a second offense. The department projects an increase in inmates as a result of this change: years 1 and 2 see no projected increase; year 3 an increase of 12 inmates with a cost of \$739.1; years 4-5 an increase of 24 inmates with a cost of \$1,478.2 each year; year 6 an increase of 36 inmates with a cost of \$2,217.2.

This bill increases the presumptive sentencing for AS11.41.210(a)(1) for a third offense. The department projects an increase in inmates as a result of this change: years 1-4 see no projected increase; year 5 an increase of 41 inmates with a cost of \$2,525.2; year 6 an increase of 82 inmates with a cost of \$5,050.4.

This bill changes parole eligibility. The bill directs that inmates serving time for crimes for which they may not earn statutory good time cannot be eligible for discretionary parole. This bill impacts approximately ten individuals annually who would be considered for discretionary parole. It is normally granted to about 20 percent of those for whom it is considered. The average reduction in time incarcerated is seven months. This legislation will have a fiscal impact on institutions because two individuals who would have received discretionary parole will now remain incarcerated for an additional seven months each at a cost of \$168.74 per day. This is an additional 434 days (14 months x 31 days) of care annually for an additional cost of \$73.2.