

Fiscal Note

State of Alaska
2019 Legislative Session

Bill Version: HB 10
Fiscal Note Number: _____
() Publish Date: _____

Identifier: HB010-DOA-OPA-3-29-19
Title: CONTROLLED SUBSTANCE POSSESSION;
SENTENCE
Sponsor: KOPP
Requester: (H)STA

Department: Department of Administration
Appropriation: Legal and Advocacy Services
Allocation: Office of Public Advocacy
OMB Component Number: 43

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 | | | | |
|-------------------------------|--------------------------------------|--|-------------------------|---------|---------|---------|---------|
| | | | FY 2021 | FY 2022 | FY 2023 | FY 2024 | FY 2025 |
| OPERATING EXPENDITURES | FY 2020 | FY 2020 | | | | | |
| Personal Services | *** | | *** | *** | *** | *** | *** |
| Travel | | | | | | | |
| Services | | | | | | | |
| Commodities | | | | | | | |
| Capital Outlay | | | | | | | |
| Grants & Benefits | | | | | | | |
| Miscellaneous | | | | | | | |
| Total Operating | *** | 0.0 | *** | *** | *** | *** | *** |

Fund Source (Operating Only)

| | | | | | | | |
|--------------|-----|------------|-----|-----|-----|-----|-----|
| None | | | | | | | |
| Total | *** | 0.0 | *** | *** | *** | *** | *** |

Positions

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

Change in Revenues

| | | | | | | | |
|--------------|------------|------------|------------|------------|------------|------------|------------|
| None | | | | | | | |
| Total | 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If yes, by what date are the regulations to be adopted, amended or repealed?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.

| | |
|---|-----------------------------|
| Prepared By: <u>James Stinson, Director</u> | Phone: <u>(907)269-3504</u> |
| Division: <u>Office of Public Advocacy</u> | Date: <u>03/29/2019</u> |
| Approved By: <u>Cheryl Lowenstein, Director</u> | Date: <u>03/29/19</u> |
| Agency: <u>Office of Management and Budget</u> | |

FISCAL NOTE ANALYSIS

STATE OF ALASKA
2019 LEGISLATIVE SESSION

BILL NO. HB 10

Analysis

This bill elevates the charging level for possession of some controlled substances to a C felony when the offender has two or more prior convictions for similar conduct. This bill excludes persons convicted under this provision from participation in suspended imposition and suspended entry of judgment arrangements. This bill creates a substitution of judgement for those convicted under this provision to allow them to successfully complete probation and treatment in order to have the charge converted to a lower level misdemeanor offense.

Cases with increased charging levels and penalties require more resources to litigate. Additionally, the Office of Public Advocacy cannot predict the number of new cases that may be charged as a result of this legislation or whether those charged would be referred to the Office of Public Advocacy. The Office of Public Advocacy, therefore, submits an indeterminate fiscal note subject to review of estimates from the Department of Law on potential felony caseload increases.