

Fiscal Note

State of Alaska
2022 Legislative Session

Bill Version: HB 246
Fiscal Note Number: _____
() Publish Date: _____

Identifier: HB246HB-JUD-ACS-01-18-22
Title: ACCESS TO MARIJUANA CONVICTION
RECORDS
Sponsor: KREISS-TOMKINS
Requester: House Judiciary

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)

	FY2023 Appropriation Requested	Included in Governor's FY2023 Request	Out-Year Cost Estimates				
OPERATING EXPENDITURES	FY 2023	FY 2023	FY 2024	FY 2025	FY 2026	FY 2027	FY 2028
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 (FY2022) cost: 0.0 (separate supplemental appropriation required)

Estimated CAPITAL (FY2023) cost: 0.0 (separate capital appropriation required)

Does the bill create or modify a new fund or account? 0
(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? NA
If yes, by what date are the regulations to be adopted, amended or repealed? NA

Why this fiscal note differs from previous version/comments:

Initial version

Prepared By: Nancy Meade, General Counsel
Division: Alaska Court System
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Agency: Alaska Court System
Phone: (907)463-4736
Date: 01/18/2022 10:00 AM
Date: 01/18/22

FISCAL NOTE ANALYSIS

STATE OF ALASKA
2022 LEGISLATIVE SESSION

BILL NO. HB 246

Analysis

House Bill 246 would require certain criminal cases to be removed from the public CourtView website (sec. 4) and would generally prohibit executive branch agencies from releasing information about those particular cases (secs. 2-3). Section 4 is the provision that would impact the court system.

Specifically, if a defendant was convicted under AS 11.71.060 for possession of less than an ounce of a Schedule VI A controlled substance (marijuana), and if that person was over 21 at the time of the offense and was not convicted of any other criminal charges in that same case, then the court system would need to remove that case from the version of CourtView that is readily available to the public over the internet.

The court system anticipates that it can remove the cases described from public CourtView without fiscal impact. Doing so will require staff time for IT professionals to revise the CourtView parameters and electronically identify the affected cases and remove them. If, however, this legislation leads to a substantial number of individualized requests from former defendants to have their criminal case file reviewed to determine it qualifies for removal under the bill, the court may need to seek additional resources at some future point to respond to those requests. As written, the court system currently anticipates that it will be able to absorb the implementation work in the normal course of business, particularly given the extended time provided by the delayed effective date.

The court system therefore submits this zero fiscal note.