

# Fiscal Note

State of Alaska  
2022 Legislative Session

Bill Version: HB 5  
Fiscal Note Number: \_\_\_\_\_  
( ) Publish Date: \_\_\_\_\_

Identifier: HB005-DOA-OPA-2-25-22  
Title: SEXUAL ASSAULT; DEF. OF "CONSENT"  
Sponsor: TARR  
Requester: (H) JUD

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)

	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							
<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 (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?** 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If yes, by what date are the regulations to be adopted, amended or repealed? N/A

## Why this fiscal note differs from previous version/comments:

Updated fiscal note for the current fiscal year.

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Agency: Department of Administration  
Phone: (907)269-3504  
Date: 02/25/2022  
Date: 02/25/2022

## FISCAL NOTE ANALYSIS

STATE OF ALASKA  
2022 LEGISLATIVE SESSION

BILL NO. HB 5

### Analysis

This bill changes the definition of consent as it relates to sex assault allegations and changes the classification and definition of sexual abuse against a minor. This change to the way sexual assault is defined will have significant impacts on the way sexual assault cases are litigated. When litigating these cases there will be increased scrutiny and focus on the conduct of complainants and whether the nuances of their words and actions indicate agreement. This could lead to an increase in case related costs.

Cases with increased penalties and higher charging levels, like sexual assault cases, require more litigation throughout all stages of litigation, but particularly increase jury trials, contested hearings, and post-conviction litigation. Both the resources needed to litigate these cases, and the associated workload, can be expected to increase with this statutory change. The Office of Public Advocacy is unable to predict the extent of that increase and therefore, submits an indeterminate fiscal note.