

Fiscal Note

State of Alaska
2022 Legislative Session

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

Identifier: HB005-DOC-IDO-02-26-22
Title: SEXUAL ASSAULT; DEF. OF "CONSENT"
Sponsor: TARR
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)

	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? 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If yes, by what date are the regulations to be adopted, amended or repealed?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:

Updated for SLA 2022 fiscal note template.

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Phone: (907)269-7397
Date: 02/26/2022
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FISCAL NOTE ANALYSIS

STATE OF ALASKA
2022 LEGISLATIVE SESSION

BILL NO. HB5

Analysis

This bill amends the crime of sexual abuse of a minor in the first degree under AS 11.41.434(a) and sexual abuse of a minor in the second degree under AS 11.41.436(a), adds age difference between perpetrator and victim as an aggravating factor for some sex offenses and redefines "consent".

Changes made to criminal laws can affect the number of people placed under the department's custody and the length of the term of imprisonment. Consequently, this can affect the number of people incarcerated and/or the amount of time an offender could be incarcerated.

Sexual abuse of a minor in the second degree is a class B sex felony and has an initial presumptive sentencing range of five to 15 years, with a maximum possible sentence of 99 years. Sexual abuse of a minor in the first degree is an unclassified sex felony and has an initial presumptive sentencing range of 20 to 30 years with a maximum possible sentence of 99 years.

Based on the current inmate population trends and projections, COVID-19 impacts and the departments capacity, it is anticipated the prison population would not exceed the adjusted daily maximum capacity of 5,387 beds within the next ten years. These Projections are based on assuming the criminal justice system returns to pre-Covid-19 operations within the next two years.

DOC cannot quantify the number of offenders this bill would create but anticipates there will be an increase due to the expansion of the elements of these two crimes. Therefore, a zero fiscal note is being submitted.