

Fiscal Note

State of Alaska
2022 Legislative Session

Bill Version:	SB 188
Fiscal Note Number:	4
(S) Publish Date:	2/15/2022

Identifier: 0030-LAW-CRIM-2-1-22
Title: CRIM PROCEDURE; CHANGE OF NAME
Sponsor: RLS BY REQUEST OF THE GOVERNOR
Requester: Governor

Department: Department of Law
Appropriation: Criminal Division
Allocation: Criminal Justice Litigation
OMB Component Number: 2202

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If yes, by what date are the regulations to be adopted, amended or repealed?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

Initial version.

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Date: 02/01/22

FISCAL NOTE ANALYSIS

STATE OF ALASKA
2022 LEGISLATIVE SESSION**Analysis**

This bill makes a number of changes to the criminal law designed to protect the community and create efficiencies in the criminal justice system.

The bill requires the defendant in a case to give the prosecutor 48 hours' notice when requesting a bail hearing. The notice is required to contain the proposed bail conditions the person is seeking to modify. There is also a corresponding notice provision for detention hearings in juvenile cases. In addition, when imposing bail, the court is required to make its findings in writing. The bill also establishes a presumption that a person poses a danger to the community or may not appear at scheduled court hearings if the person has repeatedly violated conditions of bail.

The bill also allows evidence (including hearsay) to be presented to the grand jury if the prosecutor believes that that evidence would be admissible at trial. Witnesses are also allowed to summarize admissible evidence if that evidence will be available at trial.

The bill also amends the plain error rule (Rule 47, Alaska Rule of Criminal Procedure) to only allow errors to be reviewed by a court if the defendant objected when the error occurred or if the error (1) was not the result of a waiver or tactical decision not to object; (2) was obvious; (3) involved substantial rights; and (4) was prejudicial.

The changes in this bill will create efficiencies within the system and, therefore, the department does not anticipate a fiscal impact.