

# Fiscal Note

State of Alaska  
2019 Legislative Session

Bill Version: SB 32  
Fiscal Note Number:  
() Publish Date:

Identifier: SB032-DOA-OPA-2-4-19  
Title: CRIMES; SENTENCING;MENT.  
ILLNESS;EVIDENCE  
Sponsor: RLS BY REQUEST OF THE GOVERNOR  
Requester: Senate State Affairs

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 2020	FY 2020	FY 2021	FY 2022	FY 2023
OPERATING EXPENDITURES							
Personal Services	300.0		300.0	300.0	300.0	300.0	300.0
Travel	4.6		4.6	4.6	4.6	4.6	4.6
Services	43.7		43.7	43.7	43.7	43.7	43.7
Commodities	2.6		2.6	2.6	2.6	2.6	2.6
Capital Outlay							
Grants & Benefits							
Miscellaneous							
<b>Total Operating</b>	<b>350.9</b>	<b>0.0</b>	<b>350.9</b>	<b>350.9</b>	<b>350.9</b>	<b>350.9</b>	<b>350.9</b>

## Fund Source (Operating Only)

1004 Gen Fund (UGF)	350.9	350.9	350.9	350.9	350.9	350.9	350.9
<b>Total</b>	<b>350.9</b>	<b>0.0</b>	<b>350.9</b>	<b>350.9</b>	<b>350.9</b>	<b>350.9</b>	<b>350.9</b>

## Positions

Full-time	3.0	3.0	3.0	3.0	3.0	3.0	3.0
Part-time							
Temporary							

## Change in Revenues

None							
<b>Total</b>	<b>0.0</b>						

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If yes, by what date are the regulations to be adopted, amended or repealed?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

Updated based on DOL caseload increase information.

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Division:

Office of Public Advocacy (OPA)

Date: 02/04/2019 03:41 PM

Approved By:

Cheryl Lowenstein, Director

Date: 02/04/19

Agency:

Office of Management and Budget

**FISCAL NOTE ANALYSIS**

**STATE OF ALASKA**  
**2019 LEGISLATIVE SESSION**

**BILL NO. SB 32**

**Analysis**

This bill increases sentencing ranges and terms of probation, removes the provisions automatically adjusting theft thresholds for inflation, creates some new crimes, and increases the charge level and penalties for crimes related to controlled substances.

There are new crimes created by this bill for generalized threats, refusal to submit to DNA testing upon arrest, and removal of electronic monitoring devices in broader circumstances. Prosecution of these new crimes will also increase appointments for the Office of Public Advocacy.

The Department of Law has reported an expected increase in referrals from law enforcement for drug related crime as a result of increasing the charge level and penalties for these crimes. The Department of Law anticipates felony drug cases to increase to 2016 levels and estimates an increase of least 750 felony cases annually. Cases with increased penalties and higher charging levels require more litigation throughout all stages of litigation, particularly jury trials, contested sentencing hearings, and post-conviction litigation.

The Office of Public Advocacy (OPA) receives approximately 25% of the cases referred to The Public Defender Agency as conflict cases. OPA has seen workload growth and increased appointments in recent fiscal years and is unable to absorb additional increases in workload with current staffing. The agency would need 2 additional attorney positions and one staff position to handle the anticipated increase in workload from the passage of this legislation.

(Revised 9/05/18 OMB/LFD)

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