

Fiscal Note

State of Alaska
2025 Legislative Session

Bill Version: HB 81
Fiscal Note Number: _____
() Publish Date: _____

Identifier: HB081-DPS-CJISP-2-19-25
Title: ACCESS TO MARIJUANA CONVICTION
RECORDS
Sponsor: NELSON
Requester: House State Affairs

Department: Department of Public Safety
Appropriation: Statewide Support
Allocation: Criminal Justice Information Systems Program
OMB Component Number: 3200

Expenditures/Revenues

Note: Amounts do not include inflation unless otherwise noted below. (Thousands of Dollars)

	FY2026 Appropriation Requested	Included in Governor's FY2026 Request	Out-Year Cost Estimates				
OPERATING EXPENDITURES	FY 2026	FY 2026	FY 2027	FY 2028	FY 2029	FY 2030	FY 2031
Personal Services	97.5		100.3				
Travel							
Services	74.0		16.0				
Commodities	19.4		1.0				
Capital Outlay							
Grants & Benefits							
Miscellaneous							
Total Operating	190.9	0.0	117.3	0.0	0.0	0.0	0.0

Fund Source (Operating Only)

1004 Gen Fund (UGF)	190.9		117.3				
Total	190.9	0.0	117.3	0.0	0.0	0.0	0.0

Positions

Full-time	1.0		1.0				
Part-time							
Temporary							

Change in Revenues

None							
Total	0.0	0.0	0.0	0.0	0.0	0.0	0.0

Estimated SUPPLEMENTAL (FY2025) cost: 0.0 (separate supplemental appropriation required)

Estimated CAPITAL (FY2026) 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If yes, by what date are the regulations to be adopted, amended or repealed?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:

Not applicable, initial version.

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Date: 02/19/2025
Date: 02/21/25

FISCAL NOTE ANALYSIS

STATE OF ALASKA
2025 LEGISLATIVE SESSION

BILL NO. HB 81

Analysis

This bill limits access to certain criminal justice information for individuals convicted under Alaska Statute (AS) 11.71.060, or a municipal ordinance with similar elements, if the defendant was 21 years of age or older at the time the offense was committed, was not convicted of any other criminal charges in the case, and requests the records not be released.

The Department of Public Safety (DPS) Division of Statewide Services maintains the State's criminal history repository. The repository is accessible by criminal justice agencies statewide and is used to provide criminal justice information for criminal history record background checks under AS 12.62. The system would need to be modified in a manner that would restrict these limited convictions from dissemination for certain requests (AS 12.62.160(b)(8)). Based on previous programming changes of this scale and scope, the DPS estimates it will require 400 hours for a contractor to code and test the system changes to ensure the modifications meet the desired outcome. The commonly accepted rate for a contractor with this skill set is \$145 per hour, for a total estimated cost of \$58,000 for the first year only.

There are approximately 8,500 criminal history records in the state's criminal history repository for convictions under applicable variants of AS 11.71.060 or a municipal ordinance with similar elements. Should this bill pass, each of these criminal history records will need to be individually researched upon request of the defendant to determine whether the conviction under AS 11.71.060 meets the criteria in this bill. Because the number of defendant requests is anticipated to be high after the law goes into effect, the DPS will need to hire a Criminal Justice Technician to dedicate to this effort for two years. This position would research all requests and update the criminal history repository to restrict the release of these records as outlined in the bill. When not processing public requests, the individual would research records that are indeterminant to reduce research time on future requests.

Cost for the position is as follows:

	<u>Year 1</u>	<u>Year 2</u>
Criminal Justice Technician, Anchorage	\$97.5	\$100.3
Initial set-up costs for computer workstation, desk, etc.	\$18.4	
Core services RSA and training	\$16.0	\$16.0
Ongoing cost for supplies	<u>\$1.0</u>	<u>\$1.0</u>
Total:	\$190.9	\$117.3