

# Fiscal Note

State of Alaska  
2024 Legislative Session

Bill Version: HB 107  
Fiscal Note Number:  
() Publish Date:

Identifier: HB107-LAW-CJL-2-16-24  
Title: CRIMINAL LAW DEFINITIONS PERSON/LIFE  
Sponsor: MCCABE  
Requester: (H) JUD  
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)

	FY2025 Appropriation Requested	Included in Governor's FY2025 Request	Out-Year Cost Estimates				
			FY 2025	FY 2025	FY 2026	FY 2027	FY 2028
Personal Services	***	***	***	***	***	***	***
Travel							
Services							
Commodities							
Capital Outlay							
Grants & Benefits							
Miscellaneous							
<b>Total Operating</b>	***	***	***	***	***	***	***

## Fund Source (Operating Only)

None							
<b>Total</b>	***	***	***	***	***	***	***

## Positions

Full-time							
Part-time							
Temporary							

## Change in Revenues

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

**Estimated SUPPLEMENTAL (FY2024) cost:** 0.0 *(separate supplemental appropriation required)*

**Estimated CAPITAL (FY2025) 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If yes, by what date are the regulations to be adopted, amended or repealed?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: 02/16/2024  
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## FISCAL NOTE ANALYSIS

STATE OF ALASKA  
2024 LEGISLATIVE SESSION

BILL NO. HB 107

### Analysis

This legislation amends the definition of "person" in Title 11 (criminal code) to be "a natural person or an entity that has the moral right of self-determination and, when appropriate, an organization, government, or governmental instrumentality." In addition, the legislation adds a definition of "life", which is not currently defined, to the criminal code. Under the bill, "life" means "the property or quality that distinguishes a living organism from a dead organism or inanimate matter and that is manifested in the function of a metabolism, growth, reproduction, a response to stimuli, or adaptation to the environment, each of which originates within the organism." These definitions are broad and would apply any time the word "person" or "life" are used in Title 11.

Additionally, there are statutes that would be left in place which appear to conflict with the stated intent of the legislation. For example, AS 11.41.150 is the crime of murder of an unborn child and AS 11.41.140 contains a definition of "person" which applies to the homicide statutes. It is unclear how these statutes should be read in conjunction with the new definitions in the bill.

To the extent that this legislation touches on the right of privacy as specified in the Alaska Constitution, there would likely be litigation surrounding how the legislation is applied if it were to become law.

For the above reasons the Department of Law anticipates that this legislation will be the subject of significant litigation surrounding language interpretation and how the legislation is applied. It is difficult to estimate the fiscal impact of such litigation and, therefore, the department submits an indeterminate fiscal note.