

# FISCAL NOTE

STATE OF ALASKA  
2012 LEGISLATIVE SESSION

Bill Version  
Fiscal Note Number  
(-) Publish Date

HB 274

Identifier (file name)	HB274-LAW-CIV-02-10-12	Dept. Affected	Law
Title	An Act relating to unfair trade practices.	Appropriation	Civil
Sponsor	Representative(s) HOLMES, OLSON	Allocation	Commercial and Fair Business
Requester	(H) Labor & Commerce	OMB Component Number	2717

**Expenditures/Revenues** (Thousands of Dollars)

Note: Amounts do not include inflation unless otherwise noted below.

	FY13 Appropriation Requested	Included in Governor's FY13 Request	Out-Year Cost Estimates				
			FY13	FY13	FY14	FY15	FY16
<b>OPERATING EXPENDITURES</b>							
Personal Services	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Travel							
Services							
Commodities							
Capital Outlay							
Grants, Benefits							
Miscellaneous							
<b>TOTAL OPERATING</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

<b>FUND SOURCE</b>		(Thousands of Dollars)					
1002	Federal Receipts						
1003	GF Match						
1004	GF						
1005	GF/Prgm (DGF)						
1037	GF/MH (UGF)						
1178	temp code (UGF)						
<b>TOTAL</b>		<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

<b>POSITIONS</b>							
Full-time							
Part-time							
Temporary							

<b>CHANGE IN REVENUES</b>							

**Estimated SUPPLEMENTAL (FY12) operating costs** \_\_\_\_\_ *(separate supplemental appropriation required)*  
*(discuss reasons and fund source(s) in analysis section)*

**Estimated CAPITAL (FY13) costs** \_\_\_\_\_ *(separate capital appropriation required)*  
*(discuss reasons and fund source(s) in analysis section)*

**Why this fiscal note differs from previous version (if initial version, please note as such)**

Not applicable, initial version.

Prepared by	Eileen Donahue, Division Operations Manager	Phone 465-5427
Division	Administrative Services	Date/Time 2/10/12 10:00 AM
Approved by	Michael C. Geraghty, Attorney General	Date 2/10/2012
	Department of Law	

## FISCAL NOTE

STATE OF ALASKA  
2012 LEGISLATIVE SESSION

BILL NO. HB 274

### Analysis

HB 274 amends Alaska's Consumer Protection Act ("CPA") by removing the exemption for conduct regulated and prohibited by federal law. Currently, the CPA does not apply to any conduct that is regulated and prohibited by state or federal law. The State of Alaska can control enforcement of state law, but is powerless to control the enforcement by federal regulators. Thus, the state cannot take enforcement action against a CPA violator if the conduct is "regulated" and "prohibited" under any federal statute or regulation, even if that conduct is not preempted by federal law. This bill would remove the exemption for conduct regulated by federal law, and would allow the state to pursue CPA violations as long as the conduct is not (1) regulated and prohibited by state law, or (2) preempted by federal law.

We anticipate no fiscal impact to the Department of Law from this bill.