

Fiscal Note

State of Alaska
2026 Legislative Session

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

Identifier: HB081-DPS-CJISP-1-23-26
Title: ACCESS TO MARIJUANA CONVICTION
RECORDS
Sponsor: NELSON
Requester: (H) 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)

| | FY2027 Appropriation Requested | Included in Governor's FY2027 Request | Out-Year Cost Estimates | | | | |
|------------------------|--------------------------------------|--|-------------------------|------------|------------|------------|------------|
| OPERATING EXPENDITURES | FY 2027 | FY 2027 | FY 2028 | FY 2029 | FY 2030 | FY 2031 | FY 2032 |
| Personal Services | 108.0 | | 108.0 | | | | |
| Travel | | | | | | | |
| Services | 17.0 | | 17.0 | | | | |
| Commodities | 19.4 | | 1.0 | | | | |
| Capital Outlay | | | | | | | |
| Grants & Benefits | | | | | | | |
| Miscellaneous | | | | | | | |
| Total Operating | 144.4 | 0.0 | 126.0 | 0.0 | 0.0 | 0.0 | 0.0 |

Fund Source (Operating Only)

| | | | | | | | |
|---------------------|--------------|------------|--------------|------------|------------|------------|------------|
| 1004 Gen Fund (UGF) | 144.4 | | 126.0 | | | | |
| Total | 144.4 | 0.0 | 126.0 | 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 (FY2026) cost: 0.0 (separate supplemental appropriation required)

Estimated CAPITAL (FY2027) 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If yes, by what date are the regulations to be adopted, amended or repealed?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:

Updated from the SLA2025 fiscal note to the SLA2026 fiscal note template. Personal services and contractual services were updated.

| | | | |
|--------------|---|--------|---------------|
| Prepared By: | Lisa Purinton, Director | Phone: | (907)269-5526 |
| Division: | Statewide Services | Date: | 01/23/2026 |
| Approved By: | Dianna Thornton, Administrative Services Director | Date: | 01/23/26 |
| Agency: | Department of Public Safety | | |

FISCAL NOTE ANALYSIS

STATE OF ALASKA
2026 LEGISLATIVE SESSION

BILL NO. HB081

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)).

The department is in the final phase of transitioning the Alaska Public Safety Information Network from a legacy mainframe system to a modern criminal justice information system, with implementation scheduled for January 2026. As part of this transition, the existing system is under a temporary change restriction to ensure data integrity and system stability during conversion. During this restricted period, no new programming changes or cost assessments can be performed until the transition is complete and the system is fully operational.

While the new system includes functionality to restrict access to certain criminal history records, that functionality is currently configured only to meet existing statutory requirements under AS 12.62.180. Until the system transition is complete and change restrictions are lifted, the department is unable to assess the scope, complexity, or cost of programming changes necessary to implement the requirements of this bill. As a result, the fiscal impact of required technical modifications cannot be determined at this time.

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 | \$108.0 | \$108.0 |
| Initial set-up costs for computer workstation, desk, etc. | \$18.4 | |
| Core services RSA and training | \$17.0 | \$17.0 |
| Ongoing cost for supplies | <u>\$1.0</u> | <u>\$1.0</u> |
| Total: | \$144.4 | \$126.0 |