

# FISCAL NOTE

**STATE OF ALASKA**  
**2012 LEGISLATIVE SESSION**

cost # codes

Bill Version

**HB 359**

Fiscal Note Number

**1**

Publish Date

**2/22/12 (H)**

Identifier (file name) 0627-LAW-CRIM-02-17-12

Dept. Affected

Law

Title An Act relating to sex trafficking and distribution of indecent materials.

Appropriation

Criminal

Allocation

Criminal Justice Litigation

Sponsor

Rules

Requester

Request of the Governor

OMB Component Number

2202

## 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				
OPERATING EXPENDITURES	FY13	FY13	FY14	FY15	FY16	FY17	FY18
Personal Services							
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>

## FUND SOURCE

(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>

## POSITIONS

Full-time							
Part-time							
Temporary							

## CHANGE IN REVENUES

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**Estimated SUPPLEMENTAL (FY12) operating costs**

(discuss reasons and fund source(s) in analysis section)

\_\_\_\_\_ (separate supplemental appropriation required,

**Estimated CAPITAL (FY13) costs**

(discuss reasons and fund source(s) in analysis section)

\_\_\_\_\_ (separate capital appropriation required,

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

Not applicable, initial version.

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Department of Law

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Date/Time 2/17/12 3:40PM

Date 2/17/2012

**Analysis**

The bill changes the description of the crime of promoting prostitution under AS 11.66.110 – 11.66.135 from promoting prostitution in the first, second, third, and fourth degrees to sex trafficking in the first, second, third, and fourth degrees.

It adds the crimes of human trafficking in the first degree and sex trafficking in the first degree to the definition of “serious felony offense” under the conspiracy law.

The bill amends the crime of distribution of indecent materials to minors under AS 11.61.128 in response to the judicial decision that the current law is unconstitutional due to over breadth by requiring the prosecution to prove that the offender intentionally distributed, or possessed with the intent to distribute, harmful material to another person that the offender knows is under 16 years of age or believes is under 16 years of age.

It adopts a procedure for contemporaneous two-way videoconference in criminal trials where the court finds that it is necessary to further an important public policy, that the witness is unavailable, and the testimony is given under oath and subject to cross-examination. The bill would also allow contemporaneous two-way videoconference testimony in hearings addressing the competency of a defendant to be tried for criminal charges if the witness resides 50 or more miles away from the place of the hearing or the customary travel to the site of the hearing is by air.

The bill would require a person present in Alaska to register as a sex offender if the person is required to register as a sex offender in another jurisdiction.