

FISCAL NOTE

STATE OF ALASKA
2014 LEGISLATIVE SESSION

Bill Version HB 313
 Fiscal Note Number _____
 () Publish Date _____

Identifier (file name) HB313-LAW-CRIM-03-10-14 Dept. Affected LAW
 Title MITIGATING FACTOR: COMBAT-RELATED PTSD Appropriation Criminal Division
 Allocation Criminal Justice Litigation
 Sponsor REP(S) GARA, LEDOUX
 Requester HOUSE MILITARY AND VETERAN'S AFFAIRS OMB Component Number 2202

Expenditures/Revenues (Thousands of Dollars)

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

	FY15 Appropriation Requested	Included in Governor's FY15 Request	Out-Year Cost Estimates				
			FY16	FY17	FY18	FY19	FY20
OPERATING EXPENDITURES	FY15	FY15	FY16	FY17	FY18	FY19	FY20
Personal Services	***		***	***	***	***	***
Travel							
Services							
Commodities							
Capital Outlay							
Grants, Benefits							
Miscellaneous							
TOTAL OPERATING	***	0.0	***	***	***	***	***

FUND SOURCE (Thousands of Dollars)

1002	Federal Receipts						
1003	GF Match						
1004	GF						
1005	GF/Prgm (DGF)						
1007	I/A Rcpts (Other)						
1156	Rcpt Svcs (DGF)						
		***	0.0	***	***	***	***

POSITIONS

Full-time							
Part-time							
Temporary							

CHANGE IN REVENUES

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Estimated SUPPLEMENTAL (FY14) operating costs _____ (separate supplemental appropriation required)
 (discuss reasons and fund source(s) in analysis section)

Estimated CAPITAL (FY15) costs _____ (separate capital appropriation required)
 (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 If yes, by what date are the regulations to be adopted, amended, or repealed? _____ Discuss details in analysis section.

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

Initial version, not applicable.

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 Division Department of Law

Phone 465-5427
 Date/Time 3/7/14 12:00 AM
 Date 3/10/2014

FISCAL NOTE ANALYSIS

**STATE OF ALASKA
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BILL NO. HB 313

Analysis

HB 313 would add a new mitigating factor for sentencing persons convicted of a felony. It would allow a mitigator if the defendant was affected by a combat-related post-traumatic stress disorder or combat-related traumatic brain injury that substantially affected the defendant's behavior. If proven, the court would have discretion to reduce the term of imprisonment below the presumptive range.

The proposed new factor would not apply to persons convicted of crimes against a person (AS 11.41) or arson in the first degree (AS 11.46.400). The fiscal impact for the Department of Law is indeterminate because it will require expert testimony on the issue of whether the person suffers from such a disorder and if so, did it substantially affect his or her behavior.