

Fiscal Note

State of Alaska
2014 Legislative Session

Bill Version: SB 201
Fiscal Note Number: _____
() Publish Date: _____

Identifier: SB201-DPS-DET-03-14-14
Title: CRIMINAL TRESPASS ON PRIVATE PROPERTY
Sponsor: STEDMAN
Requester: Senate Judiciary

Department: Department of Public Safety
Appropriation: Alaska State Troopers
Allocation: Alaska State Trooper Detachments
OMB Component Number: 2325

Expenditures/Revenues

Note: Amounts do not include inflation unless otherwise noted below. (Thousands of Dollars)

	FY2015 Appropriation Requested	Included in Governor's FY2015 Request	Out-Year Cost Estimates					
			FY 2015	FY 2016	FY 2017	FY 2018	FY 2019	FY 2020
OPERATING EXPENDITURES								
Personal Services								
Travel								
Services								
Commodities								
Capital Outlay								
Grants & Benefits								
Miscellaneous								
Total Operating	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0

Fund Source (Operating Only)

None								
Total	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0

Positions

Full-time								
Part-time								
Temporary								

Change in Revenues								
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Estimated SUPPLEMENTAL (FY2014) cost: 0.0 *(separate supplemental appropriation required)*
(discuss reasons and fund source(s) in analysis section)

Estimated CAPITAL (FY2015) cost: 0.0 *(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If yes, by what date are the regulations to be adopted, amended or repealed?

Why this fiscal note differs from previous version:

Not applicable, initial version.

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Division:	Alaska State Troopers	Date:	03/14/2014 01:30 PM
Approved By:	Gary Folger, Commissioner	Date:	03/14/14
Agency:	Department of Public Safety		

FISCAL NOTE ANALYSIS

STATE OF ALASKA
2014 LEGISLATIVE SESSION

BILL NO. SB 201

Analysis

This bill proposes to repeal subsections (b) and (c) from AS 11.46.350 relating to the definition of terms used in burglary and criminal trespass laws; essentially removing the exception (privilege) that allows a person to remain on private property that is unimproved and apparently unused land unless notice is given. This specifically relates to criminal trespass in the second degree under AS 11.46.330.

Criminal trespass in the second degree has a default culpable mental state of "knowingly" per AS 11.81.610. The definitions contained in AS 11.46.350(b) and (c) give parameters of what constitutes "knowingly" for the purposes of trespassing onto private property that is unimproved and apparently unused. If (b) and (c) are removed, "knowingly" will default to the definition given in AS 11.81.900 which is more ambiguous than the necessary conduct described in (b) and (c).

Though it is anticipated that the Alaska State Troopers may spend more time investigating reported trespass cases on unimproved land trying to establish whether the conduct would constitute "knowingly" trespassed, this is part of the normal job duties of a trooper and would therefore not result in a fiscal impact. Consequently, a zero fiscal note is being submitted.