

Fiscal Note

State of Alaska
2013 Legislative Session

Bill Version: HB 73
Fiscal Note Number: _____
() Publish Date: _____

Identifier: HB073CS(JUD)-LAW-CRIM-03-22-13
Title: CRIMES; VICTIMS; CHILD ABUSE AND
NEGLECT
Sponsor: RLS BY REQUEST OF THE GOVERNOR
Requester: (H) Judiciary

Department: Department of Law
Appropriation: Criminal Division
Allocation: Criminal Justice Litigation
OMB Component Number: 2202

Expenditures/Revenues

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

(Thousands of Dollars)

	FY2014 Appropriation Requested	Included in Governor's FY2014 Request	Out-Year Cost Estimates				
OPERATING EXPENDITURES	FY 2014	FY 2014	FY 2015	FY 2016	FY 2017	FY 2018	FY 2019
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

Fund Source (Operating Only)

None							
Total	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 (FY2013) cost: 0.0

Estimated CAPITAL (FY2014) cost: 0.0

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If yes, by what date are the regulations to be adopted, amended or repealed?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:

This fiscal note reflects the most recent committee substitute.

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Department of Law

Phone: (907)465-5427
Date: 03/22/2013 12:00 AM
Date: 03/22/13

FISCAL NOTE ANALYSIS

STATE OF ALASKA
2013 LEGISLATIVE SESSION

BILL NO. CSHB 73

Analysis

The bill, while in part addressing sex trafficking and human trafficking specifically, also strengthens the law in several other areas including protection for victims of sexual assault and domestic violence. It also makes changes in the law of criminal procedure. The bill would adopt criminal penalties for probation and parole officers who engage in sexual penetration or sexual contact with persons on probation or parole. It makes changes in the statute of limitations for sex trafficking and human trafficking. It adopts a time limit within which to bring a claim of credit for time served against a sentence. It requires athletic coaches to report to authorities if the coach has reasonable cause to suspect that a child has been abused or neglected. It allows the court to decide that the Office of Children's Services need not make reasonable efforts to reunite a child with the child's family if the parent or guardian has committed sexual abuse against the child or another child of the parent or guardian, or if the parent or guardian is registered or required to register as a sex offender.

The bill would also require a defendant arrested for a violation of a condition of release in connection with a domestic violence crime to be held in custody until a court has the opportunity to determine whether the defendant should be released again and on what conditions.

The bill would allow a person to bring a civil action at any time that is based on conduct by a defendant that is felony sex trafficking or felony human trafficking or stalking.

Additionally, the bill would give a court the authority to order a defendant to be monitored by GPS or similar technology as a condition of bail release in a matter charging a domestic violence crime or stalking.

The committee substitute removes the possibility of a GPS order in connection with a civil protective order. It amends the forfeiture provision for sex trafficking to make the forfeiture discretionary with the court and only after a conviction.

The original bill would overturn *Collins v. State*, 287 P. 3d 791 (Alaska App. 2012). The committee substitute would do so, too, but the committee substitute would not specifically address the issue of the youth of the offender.