

# Fiscal Note

State of Alaska  
2013 Legislative Session

Bill Version: CSHB 24(JUD)  
Fiscal Note Number: 1  
(H) Publish Date: 2/11/13

Identifier: HB024-DOA-OPA-2-01-13  
Title: SELF DEFENSE  
Sponsor: \*\* NEUMAN, ISAACSON  
Requester: House Judiciary

Department: Department of Administration  
Appropriation: Legal and Advocacy Services  
Allocation: Office of Public Advocacy  
OMB Component Number: 43

**Expenditures/Revenues**

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

|                               | FY2014                  | Included in               | Out-Year Cost Estimates |                |                |                |                |
|-------------------------------|-------------------------|---------------------------|-------------------------|----------------|----------------|----------------|----------------|
|                               | Appropriation Requested | Governor's FY2014 Request | FY 2015                 | FY 2016        | FY 2017        | FY 2018        | FY 2019        |
| <b>OPERATING EXPENDITURES</b> | <b>FY 2014</b>          | <b>FY 2014</b>            | <b>FY 2015</b>          | <b>FY 2016</b> | <b>FY 2017</b> | <b>FY 2018</b> | <b>FY 2019</b> |
| 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 (Operating Only)**

|              |            |            |            |            |            |            |            |
|--------------|------------|------------|------------|------------|------------|------------|------------|
| None         |            |            |            |            |            |            |            |
| <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> | <b>0.0</b> |

**Positions**

|           |  |  |  |  |  |  |  |
|-----------|--|--|--|--|--|--|--|
| Full-time |  |  |  |  |  |  |  |
| Part-time |  |  |  |  |  |  |  |
| Temporary |  |  |  |  |  |  |  |

**Change in Revenues**

|  |  |  |  |  |  |  |  |
|--|--|--|--|--|--|--|--|
|  |  |  |  |  |  |  |  |
|--|--|--|--|--|--|--|--|

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:**

Not applicable, initial version

|              |   |        |                            |
|--------------|---|--------|----------------------------|
| Prepared By: | <u>Richard Allen, Director</u>            | Phone: | <u>(907)269-3504</u>       |
| Division:    | <u>Office of Public Advocacy</u>          | Date:  | <u>02/01/2013 10:00 PM</u> |
| Approved By: | <u>Curtis Thayer, Deputy Commissioner</u> | Date:  | <u>02/01/13</u>            |
|              | <u>Department of Administration</u>       |        |                            |

FISCAL NOTE ANALYSIS #1

STATE OF ALASKA  
2013 LEGISLATIVE SESSION

BILL NO. CSHB 24(JUD)

**Analysis**

This bill amends the statute governing self-defense and eliminates the duty to retreat if the person claiming self-defense is "in any place where the person has a right to be." The question of whether a person has a duty to retreat is closely tied to the question of whether a person is justified in using deadly force.

Eliminating the duty in certain circumstances, therefore, is not likely to have a fiscal impact on the cases charged by the state. Accordingly, the Office of Public Advocacy submits a zero impact fiscal note.

# Fiscal Note

State of Alaska  
2013 Legislative Session

Bill Version: CSHB 24(JUD)  
Fiscal Note Number: 2  
(H) Publish Date: 2/11/13

Identifier: HB024-DOA-PDA-2-01-13  
Title: SELF DEFENSE  
Sponsor: \*\* NEUMAN, ISAACSON  
Requester: House Judiciary

Department: Department of Administration  
Appropriation: Legal and Advocacy Services  
Allocation: Public Defender Agency  
OMB Component Number: 1631

**Expenditures/Revenues**

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

|                               | FY2014                  | Included in               | Out-Year Cost Estimates |                |                |                |                |
|-------------------------------|-------------------------|---------------------------|-------------------------|----------------|----------------|----------------|----------------|
|                               | Appropriation Requested | Governor's FY2014 Request | FY 2015                 | FY 2016        | FY 2017        | FY 2018        | FY 2019        |
| <b>OPERATING EXPENDITURES</b> | <b>FY 2014</b>          | <b>FY 2014</b>            | <b>FY 2015</b>          | <b>FY 2016</b> | <b>FY 2017</b> | <b>FY 2018</b> | <b>FY 2019</b> |
| 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 (Operating Only)**

|              |            |            |            |            |            |            |            |
|--------------|------------|------------|------------|------------|------------|------------|------------|
| None         |            |            |            |            |            |            |            |
| <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> | <b>0.0</b> |

**Positions**

|           |  |  |  |  |  |  |  |
|-----------|--|--|--|--|--|--|--|
| Full-time |  |  |  |  |  |  |  |
| Part-time |  |  |  |  |  |  |  |
| Temporary |  |  |  |  |  |  |  |

**Change In Revenues**

|  |  |  |  |  |  |  |  |
|--|--|--|--|--|--|--|--|
|  |  |  |  |  |  |  |  |
|--|--|--|--|--|--|--|--|

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:**

Not applicable, initial version

|              |                                    |        |                     |
|--------------|------------------------------------|--------|---------------------|
| Prepared By: | Quinlan Steiner                    | Phone: | (907)334-4414       |
| Division:    | Public Defender Agency             | Date:  | 02/01/2013 12:52 PM |
| Approved By: | Curtis Thayer, Deputy Commissioner | Date:  | 02/01/13            |
|              | Department of Administration       |        |                     |

FISCAL NOTE ANALYSIS #2

STATE OF ALASKA  
2013 LEGISLATIVE SESSION

BILL NO. CSHB 24(JUD)

**Analysis**

This bill amends the statute governing self-defense and eliminates the duty to retreat if the person claiming self-defense is "in any place where the person has a right to be." The question of whether a person has a duty to retreat is closely tied to the question of whether a person is justified in using deadly force.

Eliminating the duty in certain circumstances, therefore, is not likely to have a fiscal impact on the cases charged by the state. Accordingly, the Agency submits a zero fiscal note.

# Fiscal Note

State of Alaska  
2013 Legislative Session

Bill Version: CSHB 24(JUD)  
Fiscal Note Number: 3  
(H) Publish Date: 2/11/13

Identifier: HB024-LAW-CRIM-02-05-13  
Title: SELF DEFENSE  
Sponsor: \*\* NEUMAN, ISAACSON  
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<br>Appropriation<br>Requested | Included in<br>Governor's<br>FY2014<br>Request | Out-Year Cost Estimates |            |            |            |            |            |
|-------------------------------|--------------------------------------|--|-------------------------|------------|------------|------------|------------|------------|
|                               |                                      |  | FY 2014                 | FY 2015    | FY 2016    | FY 2017    | FY 2018    | FY 2019    |
| <b>OPERATING EXPENDITURES</b> |                                      |  |                         |            |            |            |            |            |
| 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> | <b>0.0</b> |

**Fund Source (Operating Only)**

|              |            |            |            |            |            |            |            |            |
|--------------|------------|------------|------------|------------|------------|------------|------------|------------|
| None         |            |            |            |            |            |            |            |            |
| <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> | <b>0.0</b> | <b>0.0</b> |

**Positions**

|           |  |  |  |  |  |  |  |  |
|-----------|--|--|--|--|--|--|--|--|
| Full-time |  |  |  |  |  |  |  |  |
| Part-time |  |  |  |  |  |  |  |  |
| Temporary |  |  |  |  |  |  |  |  |

**Change in Revenues**

|  |  |  |  |  |  |  |  |  |
|--|--|--|--|--|--|--|--|--|
|  |  |  |  |  |  |  |  |  |
|--|--|--|--|--|--|--|--|--|

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:**

Not applicable, initial version.

|              |   |        |                     |
|--------------|---|--------|---------------------|
| Prepared By: | Loretta Withington, Division Operations Manager | Phone: | (907)465-5427       |
| Division     | Administrative Services Division                | Date:  | 02/05/2013 12:00 AM |
| Approved By: | Michael C. Geraghty, Attorney General           | Date:  | 02/05/13            |
|              | Department of Law                               |        |                     |

**Analysis**

House Bill 24 expands the places from which a person need not retreat before using deadly force in self defense to any place the person has a right to be. In all cases where deadly force is used and the person does not retreat, and it is not in their home or workplace, it is more likely the case will go to trial.

The fiscal note is zero because it is anticipated the department will prosecute these cases with existing resources.

# Fiscal Note

State of Alaska  
2013 Legislative Session

Bill Version: CSHB 24(JUD)  
Fiscal Note Number: 4  
(H) Publish Date: 2/11/13

Identifier: HB024-DPS-DET-02-01-13  
Title: SELF DEFENSE  
Sponsor: \*\* NEUMAN, ISAACSON  
Requester: House 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)

|                               | FY2014        | Included in | Out-Year Cost Estimates |            |            |            |            |
|-------------------------------|---------------|-------------|-------------------------|------------|------------|------------|------------|
|                               | Appropriation | Governor's  |                         |            |            |            |            |
|                               | Requested     | FY2014      |                         |            |            |            |            |
|                               | FY 2014       | FY 2014     | FY 2015                 | FY 2016    | FY 2017    | FY 2018    | FY 2019    |
| <b>OPERATING EXPENDITURES</b> |               |             |                         |            |            |            |            |
| 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 (Operating Only)**

|              |            |            |            |            |            |            |            |
|--------------|------------|------------|------------|------------|------------|------------|------------|
| None         |            |            |            |            |            |            |            |
| <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> | <b>0.0</b> |

**Positions**

|           |  |  |  |  |  |  |  |
|-----------|--|--|--|--|--|--|--|
| Full-time |  |  |  |  |  |  |  |
| Part-time |  |  |  |  |  |  |  |
| Temporary |  |  |  |  |  |  |  |

|                           |  |  |  |  |  |  |  |
|---------------------------|--|--|--|--|--|--|--|
| <b>Change in Revenues</b> |  |  |  |  |  |  |  |
|---------------------------|--|--|--|--|--|--|--|

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:**

Not applicable, initial version.

|              |                                 |        |                     |
|--------------|---------------------------------|--------|---------------------|
| Prepared By: | Lieutenant Rodney Dial          | Phone: | (907)254-1284       |
| Division     | Alaska State Troopers           | Date:  | 02/01/2013 10:15 AM |
| Approved By: | Joseph A. Masters, Commissioner | Date:  | 02/01/13            |
|              | Department of Public Safety     |        |                     |

0000 00 000000  
0000 000 00000000 00000000

0000 000 CSHB 24(JUD)

**Analysis**

This proposed legislation would amend AS 11.81.335 - Justification: Use of deadly force in defense of self - by adding a new paragraph (5) under subsection (b) which provides exceptions to a person's duty to leave the area. The new paragraph (5) provides that there is no duty to retreat if the person is in any place the person has a right to be.

Passage of this bill will have no fiscal impact to the Division of Alaska State Troopers.