

Fiscal Note

State of Alaska
2019 Legislative Session

Bill Version: SB 32
Fiscal Note Number: _____
() Publish Date: _____

Identifier: SB032-JUD-ACS-02-04-19
Title: CRIMES; SENTENCING; MENT.
ILLNESS; EVIDENCE
Sponsor: RLS BY REQUEST OF THE GOVERNOR
Requester: Senate Judiciary

Department: Judiciary
Appropriation: Alaska Court System
Allocation: Trial Courts
OMB Component Number: 768

Expenditures/Revenues

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

	FY2020 Appropriation Requested	Included in Governor's FY2020 Request	Out-Year Cost Estimates				
			FY 2021	FY 2022	FY 2023	FY 2024	FY 2025
OPERATING EXPENDITURES	FY 2020	FY 2020					
Personal Services	140.4						
Travel							
Services							
Commodities							
Capital Outlay							
Grants & Benefits							
Miscellaneous							
Total Operating	140.4	0.0	0.0	0.0	0.0	0.0	0.0

Fund Source (Operating Only)

1004 Gen Fund (UGF)	140.4						
Total	140.4	0.0	0.0	0.0	0.0	0.0	0.0

Positions

Full-time							
Part-time							
Temporary	2.0						

Change in Revenues

None							
Total	0.0	0.0	0.0	0.0	0.0	0.0	0.0

Estimated SUPPLEMENTAL (FY2019) cost: 0.0 *(separate supplemental appropriation required)*

Estimated CAPITAL (FY2020) cost: 0.0 *(separate capital appropriation required)*

Does the bill create or modify a new fund or account? No.
(Supplemental/Capital/New Fund - 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If yes, by what date are the regulations to be adopted, amended or repealed? N/A

Why this fiscal note differs from previous version/comments:

Initial version.

Prepared By: Nancy Meade, General Counsel	Phone: (907)463-4736
Division: Alaska Court System	Date: 02/04/2019 01:00 PM
Approved By: Nancy Meade for Christine Johnson, Administrative Director	Date: 02/04/19
Agency: Alaska Court System	

FISCAL NOTE ANALYSIS

STATE OF ALASKA
2019 LEGISLATIVE SESSION

BILL NO. SB 32

Analysis

Senate Bill 32 changes many categories of criminal offenses and procedures to return them to the way they were written before Senate Bill 91 passed in 2016. Certain provisions of the bill reclassify drug offenses, change the length of sentences for felonies and misdemeanors, reclassify certain offenses as crimes rather than violations, and remove inflation adjustments for theft offenses. The bill also enacts several new criminal offenses in sections 19-20 (escape), 24-26 (refusal to submit to DNA testing), and 27 (terroristic threatening).

Creating new criminal offenses and reclassifying drug crimes may have the effect of increasing the number of cases that are filed with the court, and increased sentences may have the impact of increasing the number of cases that proceed to trial. Further, the fiscal note from the Department of Law seeks five new prosecutors for the caseload increases that they anticipate. These changes would therefore have a fiscal impact on the court, but the amount is difficult to quantify. The impact of these changes is indeterminate at this time, and could occasion a change to the court system's budget in future years to accommodate the change in caseloads and trials.

One section of Senate Bill 32, Section 49, does cause a direct fiscal impact on the court system. Section 49 directs the court system to report to the Department of Public Safety all superior court orders issued on or after October 1, 1981 for the involuntary commitment of a person under AS 47.30.735 – 47.30.755, as well as orders of relief from disability resulting from an involuntary commitment or if an adjudication of mental illness or mental incompetence is granted by the court.

The court would need to hire two project employees to accomplish the work required under Section 49. These employees would research the 21,637 cases filed with the courts prior to implementation of our current electronic case management system (CourtView). The older case files are stored on microfilm and each case must be individually retrieved and reviewed to see if a commitment order was issued. To estimate the work involved, a current court system employee who is an experienced court clerk did a sample search of the stored microfilms; from that experience, we have estimated that each case would take approximately ten minutes to locate, review, report, and return. At ten minutes per search, it will take roughly 480 work days of a single clerk's time to research and report these cases. The court system would therefore hire two temporary clerks for a period of one year to accomplish this Section 49 work.

This fiscal note reflects the one-time, one-year cost for two Range 14A project employees to do the work required. The court system will not need additional supplies or office space to meet the requirements of this section. The employees will work to retrieve the orders described by section 49 that are not available electronically. (The court system can report the requested information for all cases that are in our computerized case management system, which include orders issued from 2011 forward, without fiscal impact.)