

# Fiscal Note

State of Alaska  
2019 Legislative Session

Bill Version: HB 49  
Fiscal Note Number: \_\_\_\_\_  
( ) Publish Date: \_\_\_\_\_

Identifier: HB049-DOA-PDA-3-25-19  
Title: CRIMES; SENTENCING;MENT.  
ILLNESS;EVIDENCE  
Sponsor: RLS BY REQUEST OF THE GOVERNOR  
Requester: (H)JUD

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)

	FY2020 Appropriation Requested	Included in Governor's FY2020 Request	Out-Year Cost Estimates				
OPERATING EXPENDITURES	FY 2020	FY 2020	FY 2021	FY 2022	FY 2023	FY 2024	FY 2025
Personal Services	837.3		837.3	837.3	837.3	837.3	837.3
Travel	18.2		18.2	18.2	18.2	18.2	18.2
Services	174.9		174.9	174.9	174.9	174.9	174.9
Commodities	10.3		10.3	10.3	10.3	10.3	10.3
Capital Outlay							
Grants & Benefits							
Miscellaneous							
<b>Total Operating</b>	<b>1,040.7</b>	<b>0.0</b>	<b>1,040.7</b>	<b>1,040.7</b>	<b>1,040.7</b>	<b>1,040.7</b>	<b>1,040.7</b>

## Fund Source (Operating Only)

1004 Gen Fund (UGF)	1,040.7		1,040.7	1,040.7	1,040.7	1,040.7	1,040.7
<b>Total</b>	<b>1,040.7</b>	<b>0.0</b>	<b>1,040.7</b>	<b>1,040.7</b>	<b>1,040.7</b>	<b>1,040.7</b>	<b>1,040.7</b>

## Positions

Full-time	8.0		8.0	8.0	8.0	8.0	8.0
Part-time							
Temporary							

## Change in Revenues

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>

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If yes, by what date are the regulations to be adopted, amended or repealed?

## Why this fiscal note differs from previous version/comments:

Updated based on DOL caseload increase information.

Prepared By: Quinlan Steiner, Public Defender  
Division: Public Defender Agency  
Approved By: Cheryl Lowenstein, Director  
Agency: Office of Management and Budget

Phone: (907)334-4414  
Date: 03/25/2019  
Date: 03/26/19

## FISCAL NOTE ANALYSIS

STATE OF ALASKA  
2019 LEGISLATIVE SESSION

BILL NO. HB 49

### Analysis

This bill increases sentencing ranges and terms of probation, removes the provisions automatically adjusting theft thresholds for inflation, creates some new crimes, and increases the charge level and penalties for crimes related to controlled substances.

There are new crimes created by this bill for generalized threats, refusal to submit to DNA testing upon arrest, and removal of electronic monitoring devices in broader circumstances. Prosecution of these new crimes will also increase appointments for the Public Defender Agency.

The Department of Law has reported an expected increase in referrals from law enforcement for drug related crime as a result of increasing the charge level and penalties for these crimes. The Department of Law anticipates felony drug cases to increase to the levels they were at in 2016 and estimate an increase of least 750 felony cases annually. Cases with increased penalties and higher charging levels require more litigation throughout all stages of litigation, but particularly increase jury trials, contested sentencing hearings, and post-conviction litigation.

The Public Defender Agency has seen workload growth and increased appointments in recent fiscal years and is unable to absorb additional increases in workload with current staffing. The agency would need an additional four attorney positions and four staff positions to handle the anticipated increase in workload from the passage of this legislation.