

# Fiscal Note

State of Alaska  
2020 Legislative Session

Bill Version:	HB 225
Fiscal Note Number:	9
(H) Publish Date:	1/27/2020

Identifier: 4102-4-DOC-IDO-1-23-2020  
Title: PROSTITUTION/TRAFFICKING; VACATE  
CONVICT.  
Sponsor: RLS BY REQUEST OF THE GOVERNOR  
Requester: Governor

Department: Department of Corrections  
Appropriation: Population Management  
Allocation: Institution Director's Office  
OMB Component Number: 1381

## Expenditures/Revenues

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

(Thousands of Dollars)

	FY2021 Appropriation Requested	Included in Governor's FY2021 Request	Out-Year Cost Estimates				
OPERATING EXPENDITURES	FY 2021	FY 2021	FY 2022	FY 2023	FY 2024	FY 2025	FY 2026
Personal Services	***	***	***	***	***	***	***
Travel							
Services							
Commodities							
Capital Outlay							
Grants & Benefits							
Miscellaneous							
<b>Total Operating</b>	***	***	***	***	***	***	***

## Fund Source (Operating Only)

None							
<b>Total</b>	***	***	***	***	***	***	***

## Positions

Full-time							
Part-time							
Temporary							

## Change in Revenues

None							
<b>Total</b>	0.0	0.0	0.0	0.0	0.0	0.0	0.0

**Estimated SUPPLEMENTAL (FY2020) cost:** 0.0 (separate supplemental appropriation required)

**Estimated CAPITAL (FY2021) 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If yes, by what date are the regulations to be adopted, amended or repealed?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:

Not applicable, initial version.

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Phone: (907)465-3311  
Date: 01/23/2020 03:00 PM  
Date: 01/23/20

## FISCAL NOTE ANALYSIS

STATE OF ALASKA  
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## Analysis

This legislation will restructure the human trafficking and sex trafficking statutes and increase the penalties for all forms of trafficking setting the most serious classification for those who use force or traffic an underage person, and establishes a process to have prostitution convictions vacated.

AS 11.41.340 – 11.41.347 establishes sex trafficking of all degrees as a sex offense subject to the increased penalties for sex offenses and requires registration as a sex offender.

AS 11.41.350 establishes a new crime of “patron of a victim of sex trafficking” and assigns a penalty of a class C felony if engaged with reckless disregard that the person being engaged is a victim of sex trafficking or a class B felony if the victim is under 18 years of age.

AS 11.41.360 (c) is amended increasing the penalty for human trafficking in the first degree from a class A felony to an unclassified felony.

AS 11.41.365(a) amends human trafficking in the second degree expanding situations in which the perpetrator coerces the victims into trafficking.

AS 11.41.365(b) is amended changing human trafficking in the second degree from a class B felony to a class A felony and adds a new section AS 11.41.366 establishing human trafficking in the third degree with an assigned penalty of a class B felony if the value of services, resources, or other assistance is \$200.00 or more or a class C felony if the value of services, resources, or other assistance is less than \$200.00.

AS 12.74.010 establishes a mechanism by which a person who has been convicted of prostitution can get that conviction vacated if they were a victim of sex trafficking at the time of the prostitution offense.

AS 43.23.005 is amended adding a new subsection that allows a person to be eligible for a permanent fund dividend (PFD) if their conviction was vacated during the qualifying year. This change may remove these persons from the PFD denial review process completed by DOC for the PFD Criminal Funds. This section could increase the number of denied PFD appeals received by DOC unless there is a notification process of the vacated action to ensure persons are not denied a PFD incorrectly.

Currently there is not sufficient historical data to accurately project the impacts to the offender population; therefore, an indeterminate fiscal note is being submitted. The Department will monitor for any future financial and population impacts if this legislation is passed.