

# Fiscal Note

State of Alaska  
2020 Legislative Session

Bill Version: SB 8  
Fiscal Note Number: \_\_\_\_\_  
( ) Publish Date: \_\_\_\_\_

Identifier: SB008-DPS-CJISP-02-28-20  
Title: ACCESS TO MARIJUANA CONVICTION  
RECORDS  
Sponsor: BEGICH  
Requester: (S)Judiciary

Department: Department of Public Safety  
Appropriation: Statewide Support  
Allocation: Criminal Justice Information Systems Program  
OMB Component Number: 3200

## 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					
			FY 2021	FY 2022	FY 2023	FY 2024	FY 2025	FY 2026
<b>OPERATING EXPENDITURES</b>								
Personal Services	92.0		92.0					
Travel								
Services	56.0							
Commodities								
Capital Outlay								
Grants & Benefits								
Miscellaneous								
<b>Total Operating</b>	<b>148.0</b>	<b>0.0</b>	<b>92.0</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)

1004 Gen Fund (UGF)	148.0		92.0					
<b>Total</b>	<b>148.0</b>	<b>0.0</b>	<b>92.0</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	1.0		1.0					

## 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>	<b>0.0</b>

**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If yes, by what date are the regulations to be adopted, amended or repealed?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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Division:	Commissioner's Office	Date:	02/28/2020 10:00 AM
Approved By:	Elizabeth Dunayski, Administrative Services Director	Date:	02/28/20
Agency:	Office of Management and Budget		

FISCAL NOTE ANALYSIS

STATE OF ALASKA  
2020 LEGISLATIVE SESSION

BILL NO. SB 8

**Analysis**

This bill amends AS 12.62.160 by adding a new subsection to prohibit the release of criminal record information for cases in which the defendant was convicted of possession of less than one ounce of marijuana under AS 11.71.060 if the defendant was not convicted of any other charges in that case.

The Department of Public Safety (DPS) Criminal Justice Information Systems (CJIS) Program unit is responsible to operate and maintain the Alaska Public Safety Information Network (APSIN - the state's central repository of criminal history record information), and to collect, store, and release criminal justice information as provided under AS 12.62.

This analysis assumes that only criminal history records of convictions, as specified in the bill, would be prohibited from release but records of arrests, charges, or dismissal of charges under AS 11.71.060 would not be prohibited.

There are approximately 7,500 criminal history records in APSIN for stand-alone convictions under AS 11.71.060. Should this bill pass, each of these criminal history records will need to be individually researched to determine whether the conviction under AS 11.71.060 was for possession of less than one ounce of marijuana.

To complete the extra work required in the bill, DPS would need to hire a temporary Criminal Justice Specialist position to specifically dedicate to this effort. A temporary position will allow DPS to proactively research each pertinent record rather than wait for a request from the defendant. The annual cost of a Criminal Justice Specialist including salary and benefits is \$92,000.

Additionally, APSIN programming changes will be needed to restrict the availability of a criminal history record. APSIN is a legacy mainframe application that will require a programmer with a specialized skill set to modify the system. DPS estimates it will require 400 hours for a contractor to learn, code, and test the system changes to ensure the modifications meet the desired outcome. The commonly accepted rate for a contractor with this skill set is \$140 per hour, for a total estimated cost of \$56,000.