

# Fiscal Note

State of Alaska  
2020 Legislative Session

Bill Version: HB 133  
Fiscal Note Number: \_\_\_\_\_  
( ) Publish Date: \_\_\_\_\_

Identifier: HB133-DHSS-PS-1-16-2020  
Title: JUVENILES: JUSTICE,FACILITES,TREATMENT  
Sponsor: SPOHNHOLZ  
Requester: (H)HSS

Department: Department of Health and Social Services  
Appropriation: Juvenile Justice  
Allocation: Probation Services  
OMB Component Number: 2134

### Expenditures/Revenues

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

	FY2021	Included in	Out-Year Cost Estimates					
	Appropriation Requested	Governor's FY2021 Request	FY 2021	FY 2022	FY 2023	FY 2024	FY 2025	FY 2026
<b>OPERATING EXPENDITURES</b>	<b>FY 2021</b>	<b>FY 2021</b>	<b>FY 2021</b>	<b>FY 2022</b>	<b>FY 2023</b>	<b>FY 2024</b>	<b>FY 2025</b>	<b>FY 2026</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

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? **yes**  
If yes, by what date are the regulations to be adopted, amended or repealed? **09/15/20**

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

Refreshed to SLA2020 form

Prepared By: <u>Tracy Dompeling, Director</u>	Phone: <u>(907)465-2212</u>
Division: <u>Juvenile Justice</u>	Date: <u>04/18/2019 11:15 AM</u>
Approved By: <u>Sana Efird, Administrative Services Director</u>	Date: <u>04/10/19</u>
Agency: <u>Office of Management and Budget</u>	

## FISCAL NOTE ANALYSIS

STATE OF ALASKA  
2020 LEGISLATIVE SESSION

BILL NO. HB133

### Analysis

This bill makes necessary updates to the terms used to describe the Division of Juvenile Justice facilities and staff. Correcting these terms will greatly improve understanding by legislators, departmental staff, the public, and others about when particular statutes apply to the adult versus juvenile justice system. The bill improves the department's ability to develop regulations and policies based on the work of these staff and in these facilities. The bill also improves lawmakers' ability to introduce legislation that clearly includes juvenile justice staff and facilities.

The bill clarifies that Division of Juvenile Justice facility staff and probation officers can hold positions of authority and serve as legal guardians of minors for the purposes of addressing crimes of sexual assault and sexual abuse of a minor. This clarification is necessary due to a court decision that found that Division of Juvenile Justice facility staff are not currently included in the position of authority definition found in AS 11.41.470(5).

The bill makes Division of Juvenile Justice staff among the persons who are required to report child abuse and neglect. Current mandatory reporters include practitioners of the healing arts, school teachers, officers of the Department of Corrections, and others. Juvenile justice staff are not included in this list even though youth frequently disclose abuse to these staff and staff, in turn, make reports to the Office of Children's Services. The Division of Juvenile Justice facility and probation staff make an average of 80 protective services reports to Office of Children's Services per year.

The department will update the regulations addressing the management of juvenile facilities found at 7 AAC 52 as per section 41 and 42 of the bill. The department expects to implement the regulation changes 120 days following the effective date of section 41.

The bill is not expected to have a programmatic or fiscal impact on the department.