

Fiscal Note

State of Alaska
2022 Legislative Session

Bill Version: HB 5
Fiscal Note Number: _____
() Publish Date: _____

Identifier: HB005-DOA-PDA-2-25-22
Title: SEXUAL ASSAULT; DEF. OF "CONSENT"
Sponsor: TARR
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)

	FY2023 Appropriation Requested	Included in Governor's FY2023 Request	Out-Year Cost Estimates				
OPERATING EXPENDITURES	FY 2023	FY 2023	FY 2024	FY 2025	FY 2026	FY 2027	FY 2028
Personal Services	***		***	***	***	***	***
Travel							
Services							
Commodities							
Capital Outlay							
Grants & Benefits							
Miscellaneous							
Total Operating	***	0.0	***	***	***	***	***

Fund Source (Operating Only)

None							
Total	***	0.0	***	***	***	***	***

Positions

Full-time							
Part-time							
Temporary							

Change in Revenues

None							
Total	0.0	0.0	0.0	0.0	0.0	0.0	0.0

Estimated SUPPLEMENTAL (FY2022) cost: 0.0 (separate supplemental appropriation required)

Estimated CAPITAL (FY2023) 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If yes, by what date are the regulations to be adopted, amended or repealed?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:

Updated fiscal note for the current fiscal year.

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Agency: Department of Administration
Phone: (907)334-4414
Date: 02/28/2022
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FISCAL NOTE ANALYSIS

STATE OF ALASKA
2022 LEGISLATIVE SESSION

BILL NO. HB 5

Analysis

This bill changes the definition of consent as it relates to sex assault allegations and changes the classification and definition of sexual abuse against a minor. This change to the way sexual assault is defined will have significant impacts on the way sexual assault cases are litigated. When litigating these cases there will be increased scrutiny and focus on the conduct of complainants and whether the nuances of their words and actions indicate agreement. This could lead to an increase in case related costs.

Cases with increased penalties and higher charging levels, like sexual assault cases, require more litigation throughout all stages of litigation, but particularly increase jury trials, contested hearings, and post-conviction litigation. Both the resources needed to litigate these cases, and the associated workload, can be expected to increase with this statutory change. The Public Defender Agency is unable to predict the extent of that increase and therefore, submits an indeterminate fiscal note.