

# Fiscal Note

State of Alaska  
2022 Legislative Session

Bill Version: HB 203  
Fiscal Note Number: \_\_\_\_\_  
( ) Publish Date: \_\_\_\_\_

Identifier: HB203-LAW-CRIM-CJL-3-25-22  
Title: MISCONDUCT INVOLVING WEAPONS  
Sponsor: WOOL  
Requester: (H) State Affairs

Department: Department of Law  
Appropriation: Criminal Division  
Allocation: Criminal Justice Litigation  
OMB Component Number: 2202

## Expenditures/Revenues

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

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

## Fund Source (Operating Only)

None								
<b>Total</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 (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If yes, by what date are the regulations to be adopted, amended or repealed?

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

Not applicable, initial version.

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Division:	Administrative Services Division	Date:	03/25/2022 02:26 PM
Approved By:	Amber LeBlanc, Administrative Services Director	Date:	03/25/22
Agency:	Office of Management and Budget		

## FISCAL NOTE ANALYSIS

STATE OF ALASKA  
2022 LEGISLATIVE SESSION

BILL NO. HB 203

### Analysis

This bill creates a new violation: "misconduct involving weapons in the sixth degree." A person is guilty of misconduct involving weapons in the sixth degree if they keep a firearm that is 1) not carried by, or otherwise under the direct control of the owner or other authorized person; 2) not secured in a locked container with a gun lock or by other means to render the firearm inaccessible; or 3) knows or reasonably knows that a prohibited person is able to gain access to a firearm and the firearm is not in a locked container or other means which would render the firearm inaccessible or unable to be used by the prohibited person. Misconduct involving weapons in the sixth degree is a violation punishable by a fine of \$500 to \$1,000 depending on the type of violation.

The bill also amends misconduct involving a weapon in the fourth degree (class A misdemeanor) to include persons who fail to secure or control a firearm as required by misconduct involving weapons the sixth degree and a prohibited person uses the unsecure firearm to commit a crime or hurt themselves or someone else.

It is unknown how many additional cases will be generated by the amendment to misconduct involving weapons in the fourth degree. The conduct captured by the amendment, in many, cases may be covered by existing crimes which would have been referred to the Criminal Division for prosecution regardless of the passage of the bill. Further, the Criminal Division only handles violations when legal issues arise. Therefore, the fiscal impact created by this legislation is indeterminate to the Department of Law.