

Fiscal Note

State of Alaska
2023 Legislative Session

Bill Version:	HB 67
Fiscal Note Number:	1
(H) Publish Date:	2/8/2023

Identifier: LL0031-4-DOC-IDO-2-6-2023
Title: HARASSMENT; SEX OFFENDERS & OFFENSES
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)

	FY2024 Appropriation Requested	Included in Governor's FY2024 Request	Out-Year Cost Estimates				
			FY 2025	FY 2026	FY 2027	FY 2028	FY 2029
OPERATING EXPENDITURES	FY 2024	FY 2024					
Personal Services							
Travel							
Services							
Commodities							
Capital Outlay							
Grants & Benefits							
Miscellaneous							
Total Operating	0.0	0.0	0.0	0.0	0.0	0.0	0.0

Fund Source (Operating Only)

None							
Total	0.0	0.0	0.0	0.0	0.0	0.0	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 (FY2023) cost: 0.0 (separate supplemental appropriation required)

Estimated CAPITAL (FY2024) 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If yes, by what date are the regulations to be adopted, amended or repealed?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:

Initial version.

Prepared By: Teri West, Director
Division: Administrative Services
Approved By: April Wilkerson, Deputy Commissioner
Agency: Department of Corrections

Phone: (907)465-3240
Date: 02/06/2023 02:30 PM
Date: 02/06/23

FISCAL NOTE ANALYSIS

STATE OF ALASKA
2023 LEGISLATIVE SESSION

Analysis

AS 11.41.260(a) stalking is amended adding stalking protective orders and sex offense protective orders to the conditions for charging someone with stalking as a C felony. Based on current data available, it is estimated that this amendment will increase the total prison days by 475 days per conviction and estimates up to seven convictions per year. Consequently, the daily average prison population is projected to increase by seven inmates in the first year following the effective date and 9.1 inmates thereafter.

AS 12.55.127(c). violation of conditions of release (VCOR) is amended requiring conviction sentences to be imposed consecutively when the person has two or more crimes of VCOR under AS 11.56.757. VCOR is a highly common offense within the departments available data. The majority of the VCOR convictions within the department's data currently reflect consecutively imposed sentences. However, the department estimates this amendment will impact 10% of all applicable VCOR convictions and increase the daily prison average by, at most, approximately 6.3 inmates per day.

AS 12.63.100(7) is amended adding AS 11.61.130(a)(2), misconduct involving a corpse, to the list of registerable sex offenses.

AS 18.66.990(3) domestic violence enhancements is amended adding unlawful contact and interfering with a report of a crime of domestic violence to the definition of crime involving domestic violence and triggers mandatory arrest if the officers have probable cause. This section will impact the daily average prison population. However, the department is not able to quantify the full impacts of this change and anticipates any impact can be absorbed into current capacity due to the current prison population.

Section 11 makes the applicability section of sec. 142.(c), ch. 4, FSSLA 2019 (HB49), retroactive as it pertains to the requirement for sex offenders who must register in another state to also register in Alaska when they are present in the state.

The DOC does not have sufficient data to project the full impacts of this legislation on the daily prison population; however, the department does not anticipate any significant fiscal impact with these changes and can absorb any increases within the current capacity and resources based on current inmate population counts.

Fiscal Note

State of Alaska
2023 Legislative Session

Bill Version:	HB 67
Fiscal Note Number:	2
(H) Publish Date:	2/8/2023

Identifier: 0031-4-LAW-CJL-02-07-23
Title: HARASSMENT; SEX OFFENDERS & OFFENSES
Sponsor: RLS BY REQUEST OF THE GOVERNOR
Requester: Governor

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)

	FY2024 Appropriation Requested	Included in Governor's FY2024 Request	Out-Year Cost Estimates				
	FY 2024	FY 2024	FY 2025	FY 2026	FY 2027	FY 2028	FY 2029
OPERATING EXPENDITURES							
Personal Services							
Travel							
Services							
Commodities							
Capital Outlay							
Grants & Benefits							
Miscellaneous							
Total Operating	0.0	0.0	0.0	0.0	0.0	0.0	0.0

Fund Source (Operating Only)

None							
Total	0.0	0.0	0.0	0.0	0.0	0.0	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 (FY2023) cost: 0.0 (separate supplemental appropriation required)

Estimated CAPITAL (FY2024) 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:

Not applicable, initial version.

Prepared By: Dayna Mackey, Budget Manager
Division: Administrative Services Division
Approved By: Amber LeBlanc, Administrative Services Director
Agency: Department of Law

Phone: (907)465-3674
Date: 02/07/2023 09:30 AM
Date: 02/07/23

FISCAL NOTE ANALYSIS

STATE OF ALASKA
2023 LEGISLATIVE SESSION

Analysis

This legislation makes a number of changes which clean up statutes and create efficiencies in the system. Among the changes made in the bill are requiring consecutive sentencing when offenders are convicted of more than one crime of violating conditions of release, amending the definition of "crime involving domestic violence" to include interfering with a report of a crime of domestic violence and unlawful contact, and allowing testifying witnesses to summarize the statements of others at the grand jury phase of the case.

The Department of Law does not anticipate a fiscal impact from this legislation.

Fiscal Note

State of Alaska
2023 Legislative Session

Bill Version:	HB 67
Fiscal Note Number:	3
(H) Publish Date:	2/8/2023

Identifier: 0031-6-DPS-CJISP-2-6-23
Title: HARASSMENT; SEX OFFENDERS & OFFENSES
Sponsor: RLS BY REQUEST OF THE GOVERNOR
Requester: Governor

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)

	FY2024 Appropriation Requested	Included in Governor's FY2024 Request	Out-Year Cost Estimates				
	FY 2024	FY 2024	FY 2025	FY 2026	FY 2027	FY 2028	FY 2029
OPERATING EXPENDITURES							
Personal Services							
Travel							
Services							
Commodities							
Capital Outlay							
Grants & Benefits							
Miscellaneous							
Total Operating	0.0	0.0	0.0	0.0	0.0	0.0	0.0

Fund Source (Operating Only)

None							
Total	0.0	0.0	0.0	0.0	0.0	0.0	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 (FY2023) cost: 0.0 (separate supplemental appropriation required)

Estimated CAPITAL (FY2024) 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.

Prepared By: Lisa Purinton, Acting Legislative Liaison
Division: Commissioner's Office
Approved By: Pam Halloran, Administrative Services Director
Agency: Office of Management and Budget

Phone: (907)269-5526
Date: 02/06/2023 03:30 PM
Date: 02/06/23

FISCAL NOTE ANALYSIS

STATE OF ALASKA
2023 LEGISLATIVE SESSION

Analysis

This bill makes substantive and conforming substantive and conforming amendments to statutes relating to sex offenses, sex offender registration, stalking, sex trafficking as registerable offenses, and domestic violence.

The Department of Public Safety (DPS) maintains the state's central registry of sex offenders under AS 18.65.087. The changes proposed in this bill will impact the business and technical procedures DPS has in place to manage the registry in order to capture the additional data fields and information on registered sex offenders. However, it is anticipated the changes as proposed in this bill can be implemented with existing resources.

Therefore, a zero fiscal note is being submitted.

Fiscal Note

State of Alaska
2023 Legislative Session

Bill Version:	HB 67
Fiscal Note Number:	4
(H) Publish Date:	2/8/2023

Identifier: LL0031-4-DOA-OPA-2-7-23
Title: HARASSMENT; SEX OFFENDERS & OFFENSES
Sponsor: RLS BY REQUEST OF THE GOVERNOR
Requester: Governor

Department: Department of Administration
Appropriation: Legal and Advocacy Services
Allocation: Office of Public Advocacy
OMB Component Number: 43

Expenditures/Revenues

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

(Thousands of Dollars)

	FY2024 Appropriation Requested	Included in Governor's FY2024 Request	Out-Year Cost Estimates				
			FY 2025	FY 2026	FY 2027	FY 2028	FY 2029
OPERATING EXPENDITURES	FY 2024	FY 2024	FY 2025	FY 2026	FY 2027	FY 2028	FY 2029
Personal Services	85.1		85.1	85.1	85.1	85.1	85.1
Travel							
Services	13.7		13.7	13.7	13.7	13.7	13.7
Commodities	1.2		1.2	1.2	1.2	1.2	1.2
Capital Outlay							
Grants & Benefits							
Miscellaneous							
Total Operating	100.0	0.0	100.0	100.0	100.0	100.0	100.0

Fund Source (Operating Only)

1004 Gen Fund (UGF)	100.0		100.0	100.0	100.0	100.0	100.0
Total	100.0	0.0	100.0	100.0	100.0	100.0	100.0

Positions

Full-time	1.0						
Part-time							
Temporary							

Change in Revenues

None							
Total	0.0	0.0	0.0	0.0	0.0	0.0	0.0

Estimated SUPPLEMENTAL (FY2023) cost: 0.0 (separate supplemental appropriation required)

Estimated CAPITAL (FY2024) 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:

Not applicable, initial version.

Prepared By: James Stinson, Director
Division: Office of Public Advocacy (OPA)
Approved By: Leslie Isaacs, Administrative Services Director
Agency: Department of Administration

Phone: (907)269-3504
Date: 02/07/2023 09:25 AM
Date: 02/07/2023

FISCAL NOTE ANALYSIS

STATE OF ALASKA
2023 LEGISLATIVE SESSION

Analysis

The bill requires increased sex offender registry. Registry requirements are a significant factor in assessing litigation strategies and options for the accused and may increase the number of cases that are brought to trial rather than resolved through pleas agreements.

Increased jury trials, contested sentencing hearings, and post-conviction litigation will increase the workload and costs for the Office of Public Advocacy. Additional staff will be needed to manage an increase in discovery and client contact.

Additionally, Office of Public Advocacy public guardians are responsible for wards of the state, some of whom are registered sex offenders. Thus, the increased registry requirements will cause a corresponding increase to the workload of the public guardian.

OPA will need the following positions to address the increased workload:

Add Law Assistant 1-2 (range 13/C, Anchorage)

Personal Services - \$85.1

Indirect rates- \$13.7

Commodities - \$1.2

Fiscal Note

State of Alaska
2023 Legislative Session

Bill Version:	HB 67
Fiscal Note Number:	5
(H) Publish Date:	2/8/2023

Identifier: LL0031-4-DOA-PDA-2-7-23
Title: HARASSMENT; SEX OFFENDERS & OFFENSES
Sponsor: RLS BY REQUEST OF THE GOVERNOR
Requester: Governor

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)

	FY2024 Appropriation Requested	Included in Governor's FY2024 Request	Out-Year Cost Estimates				
OPERATING EXPENDITURES	FY 2024	FY 2024	FY 2025	FY 2026	FY 2027	FY 2028	FY 2029
Personal Services	166.8		166.8	166.8	166.8	166.8	166.8
Travel							
Services	30.4		30.4	30.4	30.4	30.4	30.4
Commodities	4.0		4.0	4.0	4.0	4.0	4.0
Capital Outlay							
Grants & Benefits							
Miscellaneous							
Total Operating	201.2	0.0	201.2	201.2	201.2	201.2	201.2

Fund Source (Operating Only)

1005 GF/Prgm (DGF)	201.2		201.2	201.2	201.2	201.2	201.2
Total	201.2	0.0	201.2	201.2	201.2	201.2	201.2

Positions

Full-time	2.0						
Part-time							
Temporary							

Change in Revenues

None							
Total	0.0	0.0	0.0	0.0	0.0	0.0	0.0

Estimated SUPPLEMENTAL (FY2023) cost: 0.0 (separate supplemental appropriation required)

Estimated CAPITAL (FY2024) 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:

Not applicable, initial version.

Prepared By: Samantha Cherot, Public Defender
Division: Public Defender Agency
Approved By: Leslie Isaacs, Administrative Services Director
Agency: Department of Administration

Phone: (907)334-4414
Date: 02/07/2023 12:00 AM
Date: 02/07/2023

FISCAL NOTE ANALYSIS

STATE OF ALASKA
2023 LEGISLATIVE SESSION

Analysis

The bill allows the presentation of hearsay evidence at grand jury and increases sex offender registry. Registry requirements are a significant factor in assessing litigation strategies and options for the accused and may increase the number of cases that are brought to trial rather than resolved through plea agreements.

Increased jury trials, contested sentencing hearings, and post-conviction litigation will increase the workload and costs for the Public Defender Agency. Additional staff will be needed to manage an increase in discovery and client contact.

The Agency will need the following positions to address the increased workload:

Add Law Assistant 1-2 (range 13/C, Anchorage)

Personal Services - \$83.4

Indirect rates- \$15.2

Commodities - \$4.0

Add Law Assistant 1-2 (range 13/C, Palmer)

Personal Services - \$83.4

Indirect rates- \$15.2

Commodities - \$4.0

Fiscal Note

State of Alaska
2023 Legislative Session

Bill Version: HB 67
Fiscal Note Number: _____
() Publish Date: _____

Identifier: HB067-JUD-ACS-03-02-23

Title: HARASSMENT; SEX OFFENDERS & OFFENSES

Sponsor: RLS BY REQUEST OF THE GOVERNOR

Requester: House Judiciary Committee

Department: Judiciary

Appropriation: Alaska Court System

Allocation: Trial Courts

OMB Component Number: 768

Expenditures/Revenues

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

(Thousands of Dollars)

	FY2024 Appropriation Requested	Included in Governor's FY2024 Request	Out-Year Cost Estimates				
	FY 2024	FY 2024	FY 2025	FY 2026	FY 2027	FY 2028	FY 2029
OPERATING EXPENDITURES							
Personal Services							
Travel							
Services							
Commodities							
Capital Outlay							
Grants & Benefits							
Miscellaneous							
Total Operating	0.0	0.0	0.0	0.0	0.0	0.0	0.0

Fund Source (Operating Only)

None							
Total	0.0	0.0	0.0	0.0	0.0	0.0	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 (FY2023) cost: 0.0 (separate supplemental appropriation required)

Estimated CAPITAL (FY2024) 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? NA

If yes, by what date are the regulations to be adopted, amended or repealed?

Why this fiscal note differs from previous version/comments:

Initial version

Prepared By: Nancy Meade, General Counsel
Division: Alaska Court System
Approved By: Nancy Meade for Stacey Marz, Administrative Director
Agency: Alaska Court System

Phone: (907)463-4736
Date: 03/02/2023 11:00 AM
Date: 03/02/23

FISCAL NOTE ANALYSIS

STATE OF ALASKA
2023 LEGISLATIVE SESSION

BILL NO. HB 67

Analysis

House Bill 67 changes multiple requirements relating to the sex offender registry (secs. 4-7), requires consecutive jail time for a person convicted of two or more offenses of violating conditions of release (sec. 3), adds additional offenses to the definition of "sex offense" for which a person is required to register (sec. 8), and adds crimes to the list of offenses that comprise the definition of domestic violence (sec. 9). These changes are not anticipated to have a material effect of the court's caseload.

In addition, Section 12 would amend a court procedural rule to allow any evidence that the prosecutor believes would be admissible at trial to be admitted at the grand jury stage of a case, and further amends that court procedural rule to allow the prosecutor to present hearsay evidence in all grand jury proceedings. This would change the way evidence is presented to a grand jury but would not have a fiscal impact on the court system.

The court system therefore submits this zero fiscal note.