

Fiscal Note

State of Alaska
2023 Legislative Session

Bill Version:	HB 68
Fiscal Note Number:	1
(H) Publish Date:	2/8/2023

Identifier: LL0029-1-DOC-IDO-2-1-23
 Title: CRIME OF SEX/HUMAN TRAFFICKING
 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	Included in	Out-Year Cost Estimates				
	Appropriation Requested	Governor's FY2024 Request	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 If yes, by what date are the regulations to be adopted, amended or repealed?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:

Not applicable, initial version.

Prepared By: Teri West, Director

Division: Administrative Services

Approved By: April Wilkerson, Deputy Commissioner

Agency: Department of Corrections

Phone: (907)465-3311

Date: 02/01/2023 07:00 PM

Date: 02/01/23

FISCAL NOTE ANALYSIS

STATE OF ALASKA
2023 LEGISLATIVE SESSION

Analysis

This legislation establishes AS 11.41 adding a new series of Sex Trafficking crimes in the First (AS 11.41.340), Second (AS 11.41.345) and, Third (AS 11.41.350) degree. Sex Trafficking in the first and second degrees would be sentenced under the enhanced penalties for sexual felonies and would require the person to register as a sex offender.

AS 11.41.340 establishes sex trafficking in the first degree. This section increases sex trafficking in the first degree from a felony A to an unclassified felony. Sex Trafficking 1 is an uncommonly remanded offense with only four remands over the last five-years. Additionally, there was only one sex trafficking 1 conviction the last five years. The conviction resulted in a 20-year sentence with 10-years suspended. The sentence length for unclassified felony conviction varies significantly (5 to 99 years). However, based on average conviction length of a sample of unclassified felony convictions, the department estimates every sex trafficking 1 conviction will result in an additional 18 years of actual time served. Additionally, since sex trafficking 1 convictions already serve 10 years, the department will not see an impact on the daily average inmate population until eleven years after the effective date of this legislation.

AS 11.41.345 establishes sex trafficking in the second degree. This section increases sex trafficking in the second degree 2 from a felony B to a felony A. Sex trafficking 2 is another uncommon offense with only one conviction over the last five-years. It is assumed that since a felony A sex trafficking offense currently exists, this offense would be sentenced to the same amount of time which is 20-years with 10 suspended. Currently, felony B sex trafficking convictions result in a 10-year sentence with 4 suspended. Consequently, the department estimates for every conviction, the sentence will increase by up to 4 years. Furthermore, the department will not see an impact on the inmate population for 6 years after the effective date of this bill.

AS 11.41.350 establishes sex trafficking in the third degree. This section increases sex trafficking 3 a felony B if the services provided equal or exceed \$200 and a felony C if the services provided are less than \$200. Currently, sex trafficking 3 is a felony C. It is not possible for the department to determine when current sex trafficking 3 convictions will now result in a felony B sentence versus remaining a felony C sentence, therefore; the department cannot determine the impact on the daily average prison population due to this offense amendment.

AS 11.41.355 establishes a crime for a patron of a victim of sex trafficking. Alaska currently has laws prohibiting patronizing prostitution. However, there are no laws specifically addressing patronizing the victim of sex trafficking. This legislation establishes either a felony B if the victim is under 18 or, a felony C if 18 or over. The department does not have any records of any convictions occurring under the current patron statute. Consequently, the department cannot determine the impact this legislation will have on the daily average prison population.

AS 11.41.360(c) is amended increasing the severity of Human trafficking 1 from felony A to an unclassified felony. The department could not find any instances of someone being convicted of human trafficking 1 in the last 10-years.

AS 11.41.365 amends human trafficking in the second degree increasing the conditions one could be prosecuted for this offense and also increases the severity from a felony B to a felony A. The department is unable to identify any instances of someone being convicted of human trafficking 2 in the last 10-years.

AS 11.41.366 amends human trafficking in the third degree creating a new offense of human trafficking in the third degree. The new offense is a felony B if the value of the product is \$200 or more or, a felony C if the value is less than \$200. Since this is a new offense, The department cannot determine how many people will be convicted of this offense or how long actual incarceration time will be.

FISCAL NOTE ANALYSIS

STATE OF ALASKA
2023 LEGISLATIVE SESSION

BILL NO. LL 0029-1

Analysis

AS 11.66.100(d) is amended increasing the penalty for being a "John" from a class B misdemeanor to a class A misdemeanor. Prostitution and solicitation of prostitution convictions resulting in incarceration are extremely rare. Even though there are on average approximately 2 remands a year for this offense, most are accompanied by more severe offenses, usually felonies. This amendment could potentially impact the daily average population since it could result in an increase in sentence length. However, this is an uncommon offense and any impact to the daily average population will be minimal.

AS 12.55.135. establishes a mandatory minimum sentence for a "John" of 72 hours for AS 11.66.100(a)(2) conviction with a prior conviction within the last five-years for the same offense. While this amendment could result in an increase in the daily average inmate population, instances are uncommon and the current length of stay is relatively short.

The DOC does not have sufficient data to project the full impacts of changes within this legislation; however, due to the uncommon occurrence of these offenses and the small number of instances that can be identified within the available data, the department estimates the impact from this legislation to be minimal and substantial increases in the daily inmate population is not anticipated to be seen for several years. Therefore, a zero fiscal note is being submitted with this legislation.

Fiscal Note

State of Alaska
2023 Legislative Session

Bill Version:	HB 68
Fiscal Note Number:	2
(H) Publish Date:	2/8/2023

Identifier: 0029-LAW-CJL-01-17-23
 Title: CRIME OF SEX/HUMAN TRAFFICKING
 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	Included in	Out-Year Cost Estimates				
	Appropriation Requested	Governor's FY2024 Request	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:

Not applicable, initial version.

Prepared By:	Dayna Mackey, Budget Analyst	Phone:	(907)465-3674
Division:	Administrative Services Division	Date:	01/17/2023 03:45 PM
Approved By:	Amber LeBlanc, Administrative Services Director	Date:	01/17/23
Agency:	Department of Law		

FISCAL NOTE ANALYSIS

STATE OF ALASKA
2023 LEGISLATIVE SESSION

Analysis

The bill restructures the human trafficking and sex trafficking statutes to modernize the language and increase the classification on these offenses. Those who use force or traffic a person under the age of 20 will be guilty of sex trafficking in the first degree which would be an unclassified sex felony. Sex trafficking and human trafficking in the second degree would be a class A felony and sex trafficking and human trafficking in the third degree would be a class B or C felony depending on the amount of resources used to assist in the trafficking. Additionally, sex trafficking in the first and second degrees would be a sex offense subject to the increased penalties for sex offenses and require registration as a sex offender. Sex trafficking in the third degree would be sentenced as a sex offense but would not require registration. The legislation also establishes the new crime of "patron of a victim of sex trafficking" which will be a class C sex felony if the victim is an adult and a class B sex felony if the victim is under the age of 18.

The bill also establishes a mechanism by which a person who has been convicted of prostitution under AS 11.66.100 or drug possession under AS 11.71.050 and 11.71.060 can get that conviction vacated if they were a victim of sex trafficking at the time of the offense.

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

Fiscal Note

State of Alaska
2023 Legislative Session

Bill Version:	HB 68
Fiscal Note Number:	3
(H) Publish Date:	2/8/2023

Identifier: 0029-1-DPS-AST-2-1-23
 Title: CRIME OF SEX/HUMAN TRAFFICKING
 Sponsor: RLS BY REQUEST OF THE GOVERNOR
 Requester: Governor

Department: Department of Public Safety
 Appropriation: Alaska State Troopers
 Allocation: Alaska Bureau of Investigation
 OMB Component Number: 2744

Expenditures/Revenues

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

	FY2024	Included in	Out-Year Cost Estimates				
	Appropriation Requested	Governor's FY2024 Request	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?

Why this fiscal note differs from previous version/comments:

Not applicable, initial version.

Prepared By: Pam Halloran, Administrative Services Director
 Division: Public Safety
 Approved By: Pam Halloran, Administrative Services Director
 Agency: Public Safety

Phone: (907)465-5501
 Date: 02/01/2023 08:00 PM
 Date: 02/01/23

FISCAL NOTE ANALYSIS

STATE OF ALASKA
2023 LEGISLATIVE SESSION**Analysis**

Governor Dunleavy launched the People First Initiative in December 2021 to address several public safety issues facing Alaska. The People First Initiative has five major intersecting topics: domestic violence and sexual assault, missing and murdered Indigenous persons, human and sex trafficking, foster care, and homelessness.

This bill advances the People First Initiative by making substantive and conforming amendments to statutes relating to human and sex trafficking and sex offenses. This bill will further strengthen Alaska's criminal justice system to protect victims, hold offenders accountable, and make Alaska safer.

This bill amends Alaska Statute (AS) 11.41, person crime statutes, to add a new offense series to sex trafficking in the first, second, and third degrees. It also adds a new offense for the crime of 'patrol of a victim of sex trafficking' and adds clarification for the what 'inducing or causing a person to engage in a commercial sexual act' is in reference to the newly added sex trafficking crimes. The bill repeals existing sex trafficking crimes listed currently in statute under AS 11.66.110 - 11.66.135.

The Department of Public Safety (DPS) Division of Alaska State Troopers (AST) Alaska Bureau of Investigation (ABI) is responsible for conducting investigations into crimes involving sex trafficking and human trafficking in its areas of responsibility. The Troopers do not anticipate the need at this time to add positions and are submitting a zero fiscal.

Fiscal Note

State of Alaska
2023 Legislative Session

Bill Version:	HB 68
Fiscal Note Number:	4
(H) Publish Date:	2/8/2023

Identifier: 0029-1-DPS-VCCB-2-1-23
 Title: CRIME OF SEX/HUMAN TRAFFICKING
 Sponsor: RLS BY REQUEST OF THE GOVERNOR
 Requester: Governor

Department: Department of Public Safety
 Appropriation: Violent Crimes Compensation Board
 Allocation: Violent Crimes Compensation Board
 OMB Component Number: 520

Expenditures/Revenues

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

	FY2024	Included in	Out-Year Cost Estimates				
	Appropriation Requested	Governor's FY2024 Request	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?

Why this fiscal note differs from previous version/comments:

Not applicable, initial version.

Prepared By: Pam Halloran, Administrative Services Director
 Division: Public Safety
 Approved By: Pam Halloran, Administrative Services Director
 Agency: Public Safety

Phone: (907)465-5501
 Date: 02/01/2023 08:30 PM
 Date: 02/01/23

FISCAL NOTE ANALYSIS

STATE OF ALASKA
2023 LEGISLATIVE SESSION**Analysis**

Governor Dunleavy launched the People First Initiative in December 2021 to address several public safety issues facing Alaska. The People First Initiative has five major intersecting topics: domestic violence and sexual assault, missing and murdered Indigenous persons, human and sex trafficking, foster care, and homelessness.

This bill advances the People First Initiative by making substantive and conforming amendments to statutes relating to human and sex trafficking and sex offenses. This bill will further strengthen Alaska's criminal justice system to protect victims, hold offenders accountable, and make Alaska safer.

This bill amends Alaska Statute (AS) 11.41, person crime statutes, to add a new offense series to sex trafficking in the first, second, and third degrees. It also adds a new offense for the crime of 'patrol of a victim of sex trafficking' and adds clarification for the what 'inducing or causing a person to engage in a commercial sexual act' is in reference to the newly added sex trafficking crimes. The bill repeals existing sex trafficking crimes listed currently in statute under AS 11.66.110 - 11.66.135.

The bill amends AS 18.67.101 to include victims of sex trafficking as defined in AS 11.81.900(b) as eligible for compensation under the Violent Crimes Compensation Board.

The Violent Crimes Compensation Board (VCCB) was recently transferred to the department, and a new Executive Director for the program was recently hired. The VCCB has a current backlog of 1,000 cases of claims not fully processed. The VCCB is uncertain of the impact of this bill on the increase in the number of claims received. At this time, no fiscal note will be submitted until an assessment of impact can be completed.

Fiscal Note

State of Alaska
2023 Legislative Session

Bill Version:	HB 68
Fiscal Note Number:	5
(H) Publish Date:	2/8/2023

Identifier: LL0029-1-DOA-OPA-2-1-23
 Title: CRIME OF SEX/HUMAN TRAFFICKING
 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	Included in	Out-Year Cost Estimates				
	Appropriation Requested	Governor's FY2024 Request	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	112.7		112.7	112.7	112.7	112.7	112.7
Travel	2.5		2.5	2.5	2.5	2.5	2.5
Services	7.5		7.5	7.5	7.5	7.5	7.5
Commodities	2.5		2.5	2.5	2.5	2.5	2.5
Capital Outlay							
Grants & Benefits							
Miscellaneous							
Total Operating	125.2	0.0	125.2	125.2	125.2	125.2	125.2

Fund Source (Operating Only)

1004 Gen Fund (UGF)	125.2		125.2	125.2	125.2	125.2	125.2
Total	125.2	0.0	125.2	125.2	125.2	125.2	125.2

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: 02/01/2023 03:26 PM
 Date: 02/01/23

FISCAL NOTE ANALYSIS

STATE OF ALASKA
2023 LEGISLATIVE SESSION

Analysis

This bill enacts a new offense series: sex trafficking in the first (unclassified felony), second (class A felony), and third degrees (class B or C felony, depending on circumstances). It also enacts the new crime of "patron of a victim of sex trafficking." A person is guilty of being a patron of a victim of sex trafficking if they solicit sexual conduct with reckless disregard that the person they are soliciting is a victim of sex trafficking. If the person solicited is under 18 years of age this offense will be a class B sex felony. If the person solicited is an adult, this offense will be a class C sex felony.

It amends current human trafficking statutes by enhancing penalties and broadening the type of conduct captured. It also creates the new crime of human trafficking in the third degree if someone provides resources in furtherance of human trafficking – a class B felony if more than \$200 worth of resources and a class C felony if less than \$200. The bill also clarifies that corroboration of a victim's testimony is not necessary and that a jury may convict based on a victim's testimony alone.

The bill also establishes a process for someone convicted of prostitution to vacate their conviction if they can show they were a victim of sex trafficking.

Cases with increased penalties, mandatory sentences, and higher charging levels require more litigation throughout all stages of litigation, but particularly increase jury trials, contested hearings, and post-conviction litigation. Many of the cases charged because of this bill will require substantial defense investigation. The increased litigation surrounding these cases, plus the additional anticipated referrals, are more than the Office of Public Advocacy can absorb with current resources. Therefore, the Office of Public Advocacy is requesting an additional investigator position to meet the anticipated increase in cases and litigation.

Add 1 Investigator 1/2/3 position (Anchorage Range 18 Step C)

Personal Services - \$ 112.7

Indirect rates - \$ 7.5

Case Costs - \$ 0

Travel - \$ 2.5

Commodities - \$ 2.5

Fiscal Note

State of Alaska
2023 Legislative Session

Bill Version:	HB 68
Fiscal Note Number:	6
(H) Publish Date:	2/8/2023

Identifier: LL0029-1-DOA-PDA-1-30-23
 Title: CRIME OF SEX/HUMAN TRAFFICKING
 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	Included in	Out-Year Cost Estimates				
	Appropriation Requested	Governor's FY2024 Request	FY 2025	FY 2026	FY 2027	FY 2028	FY 2029
OPERATING EXPENDITURES	FY 2024	FY 2024					
Personal Services	81.0		81.0	81.0	81.0	81.0	81.0
Travel							
Services	15.2		15.2	15.2	15.2	15.2	15.2
Commodities	4.0		4.0	4.0	4.0	4.0	4.0
Capital Outlay							
Grants & Benefits							
Miscellaneous							
Total Operating	100.2	0.0	100.2	100.2	100.2	100.2	100.2

Fund Source (Operating Only)

1004 Gen Fund (UGF)	100.2		100.2	100.2	100.2	100.2	100.2
Total	100.2	0.0	100.2	100.2	100.2	100.2	100.2

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:	Samantha Cherot, Public Defender	Phone:	(907)334-4414
Division:	Public Defender Agency	Date:	01/30/2023 12:00 AM
Approved By:	Leslie Isaacs, Administrative Services Director	Date:	02/01/23
Agency:	Department of Administration		

FISCAL NOTE ANALYSIS

STATE OF ALASKA
2023 LEGISLATIVE SESSION

Analysis

The bill modifies the definition of trafficking, creating new crimes and increasing the penalties for sex/human trafficking. The bill also removes the requirement of corroborating evidence in certain circumstances for these crimes. The bill also increases sex offender registration requirements for certain offenses.

These changes create new crimes and elevate the seriousness and penalties of existing crimes. Although many serious trafficking cases are prosecuted at the federal level, increased registration requirements may result in an increase in failure to register cases and more serious cases with increased penalties require additional litigation throughout all stages of the process, but particularly increase jury trials, contested sentencing hearings, and post-conviction litigation.

An additional position will enable staff to manage the increased discovery and client contact related to litigation for sex trafficking cases and the increased registration requirement. The Agency will need one additional Law Office Assistant 1 in the Anchorage office.

Add 1 Law Office Assistant 1/2 position (Anchorage Range 13 Step A)

Personal Services - \$ 81.0

Indirect rates - \$ 15.2

Case Costs - \$ 0

Travel - \$ 0

Commodities - \$ 4.0

Fiscal Note

State of Alaska
2023 Legislative Session

Bill Version:	HB 68
Fiscal Note Number:	7
(H) Publish Date:	2/8/2023

Identifier: 0029-1-DPS-CDVSA-2-2-23
 Title: CRIME OF SEX/HUMAN TRAFFICKING
 Sponsor: RLS BY REQUEST OF THE GOVERNOR
 Requester: Governor

Department: Department of Public Safety
 Appropriation: Council on Domestic Violence and Sexual Assault
 Allocation: Council on Domestic Violence and Sexual Assault
 OMB Component Number: 521

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 2025	FY 2026	FY 2027	FY 2028
OPERATING EXPENDITURES	FY 2024	FY 2024	FY 2025	FY 2026	FY 2027	FY 2028	FY 2029
Personal Services	136.4		136.4	136.4	136.4	136.4	136.4
Travel	18.0		18.0	18.0	18.0	18.0	18.0
Services	516.0		516.0	516.0	516.0	516.0	516.0
Commodities	18.4		1.0	1.0	1.0	1.0	1.0
Capital Outlay							
Grants & Benefits			1,000.0	1,000.0	1,000.0	1,000.0	1,000.0
Miscellaneous							
Total Operating	688.8	0.0	1,671.4	1,671.4	1,671.4	1,671.4	1,671.4

Fund Source (Operating Only)

1004 Gen Fund (UGF)	688.8		1,671.4	1,671.4	1,671.4	1,671.4	1,671.4
Total	688.8	0.0	1,671.4	1,671.4	1,671.4	1,671.4	1,671.4

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?

Why this fiscal note differs from previous version/comments:

Not applicable, initial version.

Prepared By: Pam Halloran
 Division: Statewide Support
 Approved By: Pam Halloran, Administrative Services Director
 Agency: Public Safety

Phone: (907)465-5501
 Date: 02/01/2023 08:00 PM
 Date: 02/01/23

FISCAL NOTE ANALYSIS

STATE OF ALASKA
2023 LEGISLATIVE SESSION**Analysis**

This bill advances the People First Initiative by making substantive and conforming amendments to statutes relating to human and sex trafficking and sex offenses. This bill will further strengthen Alaska's criminal justice system to protect victims, hold offenders accountable, and make Alaska safer.

The Department of Public Safety (DPS) Council on Domestic Violence and Sexual Assault will require additional grant funding to support community-based services for victims of sex trafficking and/or buyers of sex being trafficked. Funding will also be needed for contract services to develop media communications, education campaigns, and public awareness campaigns. Additionally, funding for one position to develop, implement, and manage the Council's policies, procedures, grant programs, and other tasks to meet the requirements of this bill.

The department recommends a planning and implementation phase to develop the grant programs and associated campaigns. The department will bring on a Program Coordinator 2 in FY2024 for the initial planning and outreach phase and will plan on allocating grant funding beginning FY2025.

The total cost to implement the additional grant program is \$688.8 in FY2024 and \$671.4 FY2025 forward. This cost includes the following:

Personal Services

Program Coordinator 2, range 20, Juneau, Step C: \$136.4; FY2024 forward.

Travel

A total of ten trips, including eight in-state and two out-of-state: \$18.0; FY2024 forward.

Services

PCN based core services costs, training, media communications, education campaigns, and public awareness campaigns: \$516.0; FY2024 forward.

Commodities

One-time costs for a workstation, computer, monitors, and a printer: \$18.4; FY2024 only.

Annual costs for supplies: \$1.0

Grants/Benefits

Grant funding to support community-based services: \$1,000.0; FY2025 forward.

The fund source would be undesignated general fund.

Fiscal Note

State of Alaska
2023 Legislative Session

Bill Version:	HB 68
Fiscal Note Number:	8
(H) Publish Date:	2/8/2023

Identifier: 0029-1-DPS-SWS-1-29-23
 Title: CRIME OF SEX/HUMAN TRAFFICKING
 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	Included in	Out-Year Cost Estimates				
	Appropriation Requested	Governor's FY2024 Request	FY 2025	FY 2026	FY 2027	FY 2028	FY 2029
OPERATING EXPENDITURES	FY 2024	FY 2024					
Personal Services							
Travel							
Services	42.0						
Commodities							
Capital Outlay							
Grants & Benefits							
Miscellaneous							
Total Operating	42.0	0.0	0.0	0.0	0.0	0.0	0.0

Fund Source (Operating Only)

1004 Gen Fund (UGF)	42.0						
Total	42.0	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:	Stephanie Richard, Director	Phone: (907)465-5501
Division:	Statewide Support	Date: 01/30/2023 09:00 AM
Approved By:	Pam Halloran, Administrative Services Director	Date: 01/30/23
Agency:	Public Safety	

FISCAL NOTE ANALYSIS

STATE OF ALASKA
2023 LEGISLATIVE SESSION**Analysis**

This bill makes substantive and conforming amendments to statutes relating to sex and human trafficking. The bill amends AS 12.72 to add a new section for Vacation of Judgment of conviction for prostitution or certain misconduct involving controlled substance convictions if the individual was a victim of sex trafficking at the time of the offense. If the conviction is vacated, the Department of Public Safety (DPS) may not release that information as part of a criminal history request for certain purposes.

The DPS Division of Statewide Services (SWS) is responsible for maintaining the state's central registry of sex offenders under AS 18.65.087. SWS is also responsible for maintaining the state's central repository of criminal history record information and collecting, storing, and releasing criminal justice information under AS 12.62. This bill will impact the technical procedures DPS has for managing the dissemination of criminal history records under AS 12.62.160. Programming changes will be needed to limit the display of certain criminal history record information when a vacatur of judgment is received.

All programming changes to the criminal history repository require the use of contractors experienced with mainframe systems. Should this bill pass, DPS estimates the programming changes will require a total of 300 hours to complete at a rate of \$140 per hour for a one-time cost of \$42.0 undesignated general fund.

Fiscal Note

State of Alaska
2023 Legislative Session

Bill Version: HB 68
Fiscal Note Number: _____
() Publish Date: _____

Identifier: HB068-JUD-ACS-03-07-23
Title: CRIME OF SEX/HUMAN TRAFFICKING
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 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	222.6		184.9	184.9	184.9	184.9	184.9
Travel							
Services	2.5		2.5	2.5	2.5	2.5	2.5
Commodities	6.0		1.0	1.0	1.0	1.0	1.0
Capital Outlay							
Grants & Benefits							
Miscellaneous							
Total Operating	231.1	0.0	188.4	188.4	188.4	188.4	188.4

Fund Source (Operating Only)

1004 Gen Fund (UGF)	231.1		188.4	188.4	188.4	188.4	188.4
Total	231.1	0.0	188.4	188.4	188.4	188.4	188.4

Positions

Full-time	1.0		1.0	1.0	1.0	1.0	1.0
Part-time							
Temporary	1.0						

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: 03/07/2023 11:00 AM
Date: 03/07/23

FISCAL NOTE ANALYSIS

STATE OF ALASKA
2023 LEGISLATIVE SESSION

BILL NO. HB 68

Analysis

House Bill 68 reclassifies sex trafficking and human trafficking crimes, and increases the level of offense and penalties for trafficking crimes. The court system does not anticipate a fiscal impact from these classification changes.

HB 68 also establishes a means for persons who have an existing conviction for prostitution *and for any misconduct involving a controlled substance (drug) offense* under AS 11.71.050 or .060 to have the conviction vacated if they can establish that they were a victim of sex trafficking at the time of the offense (sec. 29). If successful, the conviction for prostitution and/or the misdemeanor drug crime is vacated, and the conviction will be removed from CourtView if the case did not have any felony convictions in that case (sec. 29).

The court system data shows that the number of individuals who have a conviction for prostitution under the state statute is relatively low for the years for which we have reliable data. However, the number of persons convicted of prostitution under the similar ordinance of the Municipality of Anchorage (also eligible under HB 68) has varied over the years, but is substantial in the aggregate. We estimate that approximately 1000 defendants would be potentially covered by that part of the bill. In addition, the court system's data shows approximately 16,000 state cases with a misdemeanor drug conviction; those defendants would also be able to seek a vacatur of those judgments under the bill. The estimate for the number of non-state cases (i.e., municipal cases) is another 2000-3000.

The court system will experience a fiscal impact from this portion of the bill.

First, to implement it, we will create a form for the petitioner to use to initiate a petition for vacation of judgment, create form orders for judges, have possible hearings in district court if the prosecuting authority objects to the petition to establish facts as to whether the petitioner was a victim of sex trafficking, and program CourtView to remove the cases, if the petition is granted. Because this is a novel legal avenue and procedure, it would *require one temporary (four month) attorney in the administrative office at Range 22*; this person would prepare appropriate forms, draft rule recommendations as needed, provide informational materials to judicial officers and court staff, and prepare other resources as appropriate to implement the legislation. The cost of this position would be \$37,700 in FY 24 only.

Second, though the court could absorb the work required to handle the petitions from those convicted of prostitution only, the addition of misdemeanor drug cases greatly expands the scope of work. Under SB 68, about 20,000 defendants could file petitions under this new provision, and the court system will need a centralized system for reviewing and deciding whether the petition meets the bill's language. (Even if only 10% of potentially eligible defendants file a petition, that would result in 2000 new proceedings that require decisions.) Further, these convictions will continue into the future, and each future misdemeanor drug case will potentially lead to a petition to have the conviction vacated. (In CY 2022, there were 407 state convictions under AS 11.71.050 or .060 in cases that had no felony convictions in that same case.) The court system anticipates that the petitions could be handled by a PFT staff attorney in the trial courts. The fiscal impact of this position would be \$188,400 per year, including salary and standard benefits, plus \$8500 for initial licenses, equipment, and supplies for FY 24, with recurring annual license costs of \$2,500 and recurring supply costs of \$1,000.

The court system therefore submits this fiscal note for a total of \$231,100 in FY 24 and \$188,400 in future years.