

Fiscal Note

State of Alaska
2023 Legislative Session

Bill Version: HB 80
Fiscal Note Number: _____
() Publish Date: _____

Identifier: HB080-DOA-OPA-03-10-23
Title: INCOMPETENCY; CIVIL COMMITMENT
Sponsor: JOSEPHSON
Requester: (H) HSS

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				
OPERATING EXPENDITURES	FY 2024	FY 2024	FY 2025	FY 2026	FY 2027	FY 2028	FY 2029
Personal Services	285.2		285.2	285.2	285.2	285.2	285.2
Travel	4.7		4.7	4.7	4.7	4.7	4.7
Services	50.5		50.5	50.5	50.5	50.5	50.5
Commodities	8.0		8.0	8.0	8.0	8.0	8.0
Capital Outlay							
Grants & Benefits							
Miscellaneous							
Total Operating	348.4	0.0	348.4	348.4	348.4	348.4	348.4

Fund Source (Operating Only)

1004 Gen Fund (UGF)	348.4		348.4	348.4	348.4	348.4	348.4
Total	348.4	0.0	348.4	348.4	348.4	348.4	348.4

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If yes, by what date are the regulations to be adopted, amended or repealed?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

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Division:	Office of Public Advocacy	Date:	03/10/2023
Approved By:	Leslie Isaacs, Administrative Services Director	Date:	03/10/2023
Agency:	Department of Administration		

FISCAL NOTE ANALYSIS

STATE OF ALASKA
2023 LEGISLATIVE SESSION

BILL NO. HB 80

Analysis

This legislation makes significant changes to competency and commitment proceedings. This bill requires a court to commit someone if they are not restorable, allows a court to rely on previously conducted examinations in determining whether to commit a person for an additional 90 days if the person is not charged with a felony, and allows any restoration period to be for up to two years, regardless of the offense where a substantial probability of restoration within a reasonable period of time is found for un-convicted mentally ill people. This bill eliminates the statute of limitations for offenses that are not unclassified or class A felonies when charges are dismissed on competency grounds, and allows for the victim to be notified about civil commitment hearings when the respondent has had charges dismissed due to incompetency.

The Office of Public Advocacy will need to handle increased litigation and hearings resulting from this legislation, monitor these clients and be prepared to relitigate cases that are re-charged in the future. This will require additional staffing and expense for the Agency:

Add an Attorney 1-4 (Anchorage R: 24 S: C)

Personal Services - \$181.0

Indirect rates - \$13.7

Case costs (experts, transcripts, etc.) - \$23.1

Travel -\$4.7

Commodities - \$4.0

&

Add a Public Guardian 1-2 (Anchorage R: 18 S: A)

Personal Services - \$104.2

Indirect rates - \$13.7

Commodities - \$4.0