

Fiscal Note

State of Alaska
2024 Legislative Session

Bill Version: HB 379
 Fiscal Note Number: _____
 () Publish Date: _____

Identifier: HB379-LAW-CJL-04-12-24
 Title: DUI DIVERSION PROGRAM
 Sponsor: PRAX
 Requester: (H) STA

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)

	FY2025	Included in	Out-Year Cost Estimates					
	Appropriation Requested	Governor's FY2025 Request	FY 2025	FY 2026	FY 2027	FY 2028	FY 2029	FY 2030
OPERATING EXPENDITURES	FY 2025	FY 2025	FY 2025	FY 2026	FY 2027	FY 2028	FY 2029	FY 2030
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	0.0

Fund Source (Operating Only)

None								
Total	0.0	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	0.0

Estimated SUPPLEMENTAL (FY2024) cost: 0.0 *(separate supplemental appropriation required)*

Estimated CAPITAL (FY2025) 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? N/A
 If yes, by what date are the regulations to be adopted, amended or repealed?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:	04/12/2024
Approved By:	Amber LeBlanc, Administrative Services Director	Date:	04/12/24
Agency:	Department of Law		

FISCAL NOTE ANALYSIS

STATE OF ALASKA
2024 LEGISLATIVE SESSION

BILL NO. HB 379

Analysis

This bill codifies a diversion program for first time offenders of driving while under the influence (DUI). Under the bill, a person would be told of the opportunity to participate in a diversion program by the court at arraignment. If the person petitioned to participate in the diversion program they would plead guilty to the offense, however, the plea would not be entered but held in abeyance while the person participates in the program. Once the defendant has petitioned to participate in the program the prosecution may object, but otherwise the decision on whether to allow the person to participate rests with the court. If the person successfully completes the diversion program the charges would be dismissed by the court.

If a person petitions to participate the prosecutor will need to evaluate the person's criminal history and conduct alleged in the case and determine whether the State should object to the petition. Additionally, the prosecutor will need to monitor the person's participation in the program and determine whether to file a petition to remove the person from the program. It is unclear how many eligible persons will petition to participate in the diversion program. However, the Criminal Division believes that it can absorb any additional work generated by the diversion program within its existing budget.