

Fiscal Note

State of Alaska
2025 Legislative Session

Bill Version: HB 2
Fiscal Note Number: _____
() Publish Date: _____

Identifier: HB002-LAW-CJL-03-07-25
Title: DUI DIVERSION PROGRAM
Sponsor: PRAX
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)

	FY2026	Included in	Out-Year Cost Estimates				
	Appropriation Requested	Governor's FY2026 Request	FY 2027	FY 2028	FY 2029	FY 2030	FY 2031
OPERATING EXPENDITURES	FY 2026	FY 2026					
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 (FY2025) cost: 0.0 *(separate supplemental appropriation required)*

Estimated CAPITAL (FY2026) 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If yes, by what date are the regulations to be adopted, amended or repealed?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: 03/07/2025
Approved By: Amber LeBlanc, Administrative Services Director	Date: 03/07/25
Agency: Department of Law	

FISCAL NOTE ANALYSIS

STATE OF ALASKA
2025 LEGISLATIVE SESSION

BILL NO. HB002

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.