

FISCAL NOTE

No: 2

Bill Version: CSHB 67 (JUD)
 (H) Publish Date: 4/16/99

STATE OF ALASKA
 1999 LEGISLATIVE SESSION

Revision Date _____
 Title: "An Act relating to release of certain persons alleged to have committed certain sexual offenses"
 Sponsor: Representative Rokeberg
 Requestor: (H) JUD

Department Affected: Administration *ADMINISTRATION*
 BRU: Legal and Advocacy Services
 Component: Public Defender Agency
 COMPONENT SERIAL NO. 1631

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING EXPENDITURES	FY 2000	FY 2001	FY 2002	FY 2003	FY 2004	FY 2005
PERSONAL SERVICES	**	**	**	**	**	**
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	**	**	**	**	**	**
CAPITAL EXPENDITURES	**	**	**	**	**	**
CHANGE IN REVENUES ()	**	**	**	**	**	**

FUND SOURCE: (Thousands of Dollars)

1002 Federal Receipts	**	**	**	**	**	**
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1037 GF/Mental Health						
OTHER						
TOTAL	**	**	**	**	**	**

Estimate of any current year (FY 98) cost: \$ _____

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

ANALYSIS: (Attach a separate page if necessary.)

See attached.

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 Division: Public Defender Agency

Phone: (907) 264-4414
 Date: _____

Approved by Commissioner: Robert Poe *Robert Poe*
 Agency: Department of Administration

Date: 2/19/99

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FISCAL NOTE

STATE OF ALASKA

BILL NO. HB 67

1999 LEGISLATIVE SESSION

ANALYSIS: (continued)

This bill would place restrictions on the court's discretion to release people charged with sexual assault in the second degree (AS 11.41.420), sexual abuse of a minor in the second degree (AS 11.41.436), and unlawful exploitation of a minor (AS 11.41.455). These are class B felony offenses. The bill places the same restrictions on people charged with class C felonies, like sexual assault in the third degree (AS 11.41.425), sexual abuse of a minor in the third degree (AS 11.41.438), incest (AS 11.41.450), and indecent exposure in the first degree (AS 11.41.458). Finally, the bill places restrictions on people charged with the class A misdemeanor offense of sexual abuse of a minor in the fourth degree (AS 11.41.440).

The restrictions the bill places on a judge's discretion to release are:

Sec. 1 -- release on personal recognizance and on unsecured bond is prohibited as it currently is for class A and unclassified felonies;

Sec. 2 -- release to the supervision of a designated person or organization must be 24-hour supervision except for periods personally approved by the judge.

Sec. 3 of the bill requires judges to "solicit comments from the victim" and consider those comments prior to release.

This bill will have a fiscal impact on the Public Defender Agency. The Agency represents defendants in bail hearings on these offenses. The additional restrictions will make release on bail in all of these cases a more difficult process. The restrictions will result in Public Defender attorneys spending more time and resources in preparing for and representing clients in bail hearings.