

# FISCAL NOTE

STATE OF ALASKA  
2000 LEGISLATIVE SESSION

No. 3  
Bill Version: SB 263  
(S) Publish Date: 2-11-00

Revision Date/Time (Note if correction) _____	Dept. Affected <u>Law</u>
Title <u>"An Act relating to the rights of crime victims, the crime of violating a protective order or injunction ..."</u>	BRU <u>Criminal Division</u>
Sponsor <u>Rules Committee</u>	Component <u>1st-4th Judicial Districts; Criminal Appeals; Special Litigation</u>
Requester <u>Governor</u>	Component No. <u>2198-99:2201/03/61/79</u>

**Expenditures/Revenues** (Thousands of Dollars)

Note: Amounts do not include inflation unless otherwise noted below.

OPERATING EXPENDITURES	FY 2001	FY 2002	FY 2003	FY 2004	FY 2005	FY 2006
Personal Services						
Travel						
Contractual						
Supplies						
Equipment						
Land & Structures						
Grants & Claims						
Miscellaneous						
<b>TOTAL OPERATING</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

<b>CAPITAL EXPENDITURES</b>						
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<b>CHANGE IN REVENUES ( )</b>						
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**FUND SOURCE** (Thousands of Dollars)

FUND SOURCE	FY 2001	FY 2002	FY 2003	FY 2004	FY 2005	FY 2006
1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other (Specify Type)						
<b>TOTAL</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

Estimate of any current year (FY2000) cost: \_\_\_\_\_

**POSITIONS**

Full-time						
Part-time						
Temporary						

**ANALYSIS:** (Attach a separate page if necessary)

This bill makes several amendments related to the protection of crime victims. It makes the violation of a protective injunction a class A misdemeanor. Like protective orders in a domestic violence case, protective injunctions may be ordered by the court to prevent or limit a person's contact with a child if it is established that the person has sexually or physically abused the child, or engages in conduct that constitutes a clear and present danger to the welfare of the child. While domestic violence protective orders are a class A misdemeanor, under current law, the only remedy for violations of a protective injunction is a finding of contempt by the court.

The bill also would clarify the means by which a victim can petition for the return of their property seized by law enforcement from a pawnbroker or second hand dealer; and broadens prohibitions against "compromising

Prepared by: <u>Joan M. Kasson</u>	Phone <u>465-5370</u>
Division: <u>Attorney General's Office</u>	Date/Time <u>2/10/00, 11:27 AM</u>
Approved by Commissioner: <u>Bruce M. Botelho</u>	Date <u>2/10/00</u>
Agency: <u>Department of Law</u>	

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BILL NO. SB263  
#3

ANALYSIS CONTINUATION

misdemeanors" (paying a victim's expenses in return for criminal charges being dropped) to include domestic violence as defined in current law. The bill also adds a new mitigating factor for presumptive sentences when a defendant pleads guilty or no contest within 30 days of arraignment on a charge.

Any potential fiscal impact of the bill on the Department of Law would come from the creation of the new class A misdemeanor for violating a protective injunction. The department expects to see only a handful of new cases arising from this provision each year, and anticipates any increased workload can be handled with existing resources.