

FISCAL NOTE

STATE OF ALASKA
2001 LEGISLATIVE SESSION

Fiscal Note Number: 3
 Bill Version: CSHB 125(JUD)
 (H) Publish Date: 4/20/01
 Dept. Affected: Administration
 BRU: Legal & Advocacy Svc.
 Component: Public Defender Agency
 Component Number: 1631

Revision Date/Time (Note if correction): _____
 Title: "An Act relating to unlawful or indecent
 viewing and photography....."
 Sponsor: Representative Kott
 Requester: (H) Judiciary

Expenditures/Revenues (Thousands of Dollars)

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

OPERATING EXPENDITURES	FY 2002	FY 2003	FY 2004	FY 2005	FY 2006	FY 2007
Personal Services						
Travel						
Contractual						
Supplies						
Equipment						
Land & Structures						
Grants & Claims						
Miscellaneous						
TOTAL OPERATING	*	*	*	*	*	*

CAPITAL EXPENDITURES						
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CHANGE IN REVENUES ()						
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FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other (Specify Type)						
TOTAL	*	*	*	*	*	*

Estimate of any current year (FY2001) cost: 0.0

Check this box (X) if funding for this bill is included in the Governor's FY 2002 budget proposal:

POSITIONS

Full-time						
Part-time						
Temporary						

ANALYSIS: (Attach a separate page if necessary)

See Page 2 for Analysis.

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 Division: Public Defender Agency Date/Time April 5, 2001
 Approved by: Jim Duncan, Commissioner Date 4/5/01
 Agency: Department of Administration

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Analysis CSHB 125(JUD) (Indecent Viewing) - FN#3

This bill creates a new crime called Improper Viewing or Photography. The new crime would make it illegal to view or produce a picture of someone in the interior of a room without the consent of the person who is viewed or in the picture. If the person is under 16, the person's parents would also have to consent.

The bill also changes definitions in existing statutes. Changes to the Indecent Viewing or Photography statute would include viewing or photographing "undergarments" covering a person's genitals, anus, or female breast. Current law only covers viewing or photographing the genitals, anus, or female breast itself. The definition of "picture" is changed to include "images" in addition to actual photographs.

This bill would probably add some additional cases to the Public Defender Agency's workload. There may be some difficult First Amendment issues to brief in these cases. However, the Department of Law has stated that passage of this legislation is not anticipated to "generate many prosecutions." Because we cannot determine the exact fiscal impact, we are submitting an indeterminate fiscal note.