

FISCAL NOTE

STATE OF ALASKA
2001 LEGISLATIVE SESSION

Fiscal Note Number: 1
 Bill Version: HB 134
 (H) Publish Date: 2/19/01
 Dept. Affected: Administration
 BRU: Legal and Advocacy
 Component: Public Defender
 Component Number: 1631

Revision Date/Time (Note if correction): _____
 Title: An Act Relating to the rights of crime victims
 Sponsor: Rules Committee
 Requester: Governor

Expenditures/Revenues

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

POSITIONS

Full-time						
Part-time						
Temporary						

ANALYSIS: (Attach a separate page if necessary)

The Public Defender Agency is concerned about the impact of the provisions of the bill creating Non-domestic Violence Stalking Protective Orders. Violations of these Orders would be class A misdemeanors. The Alaska stalking statutes (AS 11.41.260-.270) are among the most broadly-written in the nation. See *Petersen v. State*, 930 P.2d 414 (Alaska App. 1996). Stalking can be charged whenever a person knowingly engages in a course of "non-consensual contact" that places another person in fear. "Non-consensual contact" includes things like approaching a person in a public place, contacting someone by telephone, or sending a person mail.

Potentially, thousands of people could obtain these Non-domestic Violence Stalking Protective Orders. Violators could be charged with class A misdemeanors offenses. The Public Defender Agency would be assigned in at least 75% of these cases. Although we cannot say specifically what the impact would be, we are very concerned that there could be a significant fiscal impact resulting from this legislation.

Prepared by: Barbara Brink, Director Phone 334-4414
 Division: Public Defender Agency Date/Time 2/6/01 12:00 AM
 Approved by: Jim Duncan, Commissioner Date 2/6/01
 Agency: Department of Administration

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