

# FISCAL NOTE

No. 1  
 Bill Version: SB 177  
 (S) Publish Date: 5/6/01

STATE OF ALASKA  
 2001 LEGISLATIVE SESSION

Revision Date/Time (Note if correction) \_\_\_\_\_ Dept. Affected \_\_\_\_\_  
 Title BAC level for DWI BRU Alaska Court System  
 Sponsor Senator Ward Component Trial Courts  
 Requester Senate Judiciary Component No. 768

**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	67.9	67.9	67.9	67.9	67.9	67.9
Travel						
Contractual	6.2	6.2	6.2	6.2	6.2	6.2
Supplies						
Equipment						
Land & Structures						
Grants & Claims						
Miscellaneous						
<b>TOTAL OPERATING</b>	<b>74.1</b>	<b>74.1</b>	<b>74.1</b>	<b>74.1</b>	<b>74.1</b>	<b>74.1</b>

CAPITAL EXPENDITURES						
----------------------	--	--	--	--	--	--

CHANGE IN REVENUES ( )						
------------------------	--	--	--	--	--	--

**FUND SOURCE** (Thousands of Dollars)

FUND SOURCE	FY 2002	FY 2003	FY 2004	FY 2005	FY 2006	FY 2007
1002 Federal Receipts						
1003 GF Match						
1004 GF	74.1	74.1	74.1	74.1	74.1	74.1
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other (Specify Type)						
<b>TOTAL</b>	<b>74.1</b>	<b>74.1</b>	<b>74.1</b>	<b>74.1</b>	<b>74.1</b>	<b>74.1</b>

Estimate of any current year (FY2001) cost: 0.0

**POSITIONS**

Full-time	FY 2002	FY 2003	FY 2004	FY 2005	FY 2006	FY 2007
Part-time	2	2	2	2	2	2
Temporary						

**ANALYSIS:** *(Attach a separate page if necessary)*  
 Senate Bill 177 lowers the BAC necessary for a first offense DWI violation under 28.35.030 from .1 to .08. The bill also creates the crime of habitual driving while intoxicated. Under this new crime, a person previously convicted of a DWI can be subsequently convicted with a BAC level of .04. National studies show that a reduction from .1 to .08 typically results in a 10% increase in DWI filings. Based on that assumption, the court system would see an additional 500 misdemeanor filings a year and an additional 28 felony filings a year. This note reflects the additional judicial and jury costs associated with those increases. This note does not reflect any additional costs associated with habitual driving while intoxicated.

Although there are likely to be additional cases filed because of the .04 provisions contained in the offense of habitual driving while intoxicated, the extent of the increase is too speculative to support a fiscal note.

Prepared by: Douglas Wooliver Phone 463-4750 264-8265  
 Division Alaska Court System Date/Time 4/24/01 9:30 a.m.  
 Approved by: Stephanie Cole Date \_\_\_\_\_  
 Agency Alaska Court System

For distribution information, call the Governor's Legislative Office

Alaska Court System

Fiscal Note Calculations for SB 177 #1

4/24/01

	FY02	FY03	FY04	FY05	FY06
<b><u>Superior Court:</u></b>					
50 Jurors 1.0 Days for Selection	1,250	1,250	1,250	1,250	1,250
14 Jurors for 1.5 Days of Court	525	525	525	525	525
12 Jurors for .5 Days of Deliberation	150	150	150	150	150
Deliberation Meal \$11/12 jurors + bailiff	143	143	143	143	143
	<hr/>	<hr/>	<hr/>	<hr/>	<hr/>
Total per Superior Court Trial	2,068	2,068	2,068	2,068	2,068
Proposed # Superior Court Trials	3	3	3	3	3
	<hr/>	<hr/>	<hr/>	<hr/>	<hr/>
Estimated Cost of Superior Court Trials	<u>6,204</u>	<u>6,204</u>	<u>6,204</u>	<u>6,204</u>	<u>6,204</u>
<b><u>District Court:</u></b>					
District Court Judge (5 Months) PPT	50,419	50,419	50,419	50,419	50,419
In-Court Clerk (5 Months) PPT	17,499	17,499	17,499	17,499	17,499
	<hr/>	<hr/>	<hr/>	<hr/>	<hr/>
	67,918	67,918	67,918	67,918	67,918
	<hr/>	<hr/>	<hr/>	<hr/>	<hr/>
Fiscal Note for 500 Misdemeanors + 3 Felony Trials	74,122	74,122	74,122	74,122	74,122