

# FISCAL NOTE

**STATE OF ALASKA**  
**2003 LEGISLATIVE SESSION**

Fiscal Note Number: 1  
 Bill Version: CSHB 56(L&C)  
 (H) Publish Date: 4/28/03

Revision Date/Time (Note if correction): \_\_\_\_\_ Dept. Affected: Law  
 Title "An Act relating to the attorney fees and costs BRU Civil Division  
awarded in certain court actions . . ." Component Fair Business Practices  
 Sponsor Representative Gara  
 Requester House Labor and Commerce Committee Component No. 2206

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

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

OPERATING EXPENDITURES	FY 2004	FY 2005	FY 2006	FY 2007	FY 2008	FY 2009
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 (GF/PR)</b>	*****	*****	*****	*****	*****	*****
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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--Do not abbreviate)						
<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 (FY2003) cost: 0.0

Check this box (X) if funding for this bill is included in the Governor's FY 2004 budget proposal:

**POSITIONS**

Full-time						
Part-time						
Temporary						

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

HB 56 allows the attorney general to recover full reasonable attorneys fees and costs when the state prevails in an action brought under Alaska's Consumer Protection Act, AS 45.50.471 *et seq.* Currently, private parties who bring successful actions under the Act can recover full fees and costs, but the state can only recover a portion of its fees pursuant to Alaska Civil Rule 82 for bringing the same action. It is unclear how much, if any, additional revenues might result if this bill passes. Presently, most actions brought by the attorney general under the Act are settled, and the settlement often considers the time and expenses incurred by the attorney general to bring the action. In larger multi-state cases, settlements often include payment of attorneys fees and costs. In smaller, local cases, however, potential violators may be deterred by the risk of paying the state's full attorneys fees and costs. In cases where litigation is inevitable, this bill would allow the recovery of additional funds, and may assist in settlement negotiations.

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 Approved by: Kathryn Daughetee for Gregg D. Renkes, Attorney General Date 4/21/2003  
 Agency: Department of Law