

FISCAL NOTE

STATE OF ALASKA
2003 LEGISLATIVE SESSION

Fiscal Note Number: _____
 Bill Version: _____
 () Publish Date: _____
 Dept. Affected: Health & Social Services
 BRU Family and Youth Services
 Component Front Line Social Workers

Revision Date/Time (Note if correction): _____
 Title REPORTS OF HARM BY CLERGY

 Sponsor LYNN
 Requester HOUSE (STA)

Component No. 2305

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						
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0

CAPITAL EXPENDITURES						
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CHANGE IN REVENUES (0)						
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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)						
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY2003) cost: _____

Mark 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 92 requires that members of the clergy be identified as mandated reporters of suspected child sexual abuse or neglect under certain circumstances. Section 1 amends AS 47.17.020(a) which governs identified mandatory reporters of suspected child abuse or neglect. The amendment adds clergy members to the list of mandated reporters. The Department is in agreement with requiring members of the clergy to be mandated reporters and supports this amendment.

Section 2 amends AS 47.17 by adding a new Section 47.17.021, which allows "penitential communication" to not be subject to the mandatory reporting requirement. The section goes on to define penitential communication as a communication with a clergy member intended to be confidential, as part of the clergy members official duties.

Prepared by: Tom Cherian, Acting Division Director Phone 465-3191
 Division Family & Youth Services Date/Time 02/20/2003
 Approved by: Joel S. Gilbertson, Commissioner Date 02/27/2003
 Agency Department of Health and Social Services

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ANALYSIS CONTINUATION

The Department supports Section 2 as written.

Section 3 amends AS 47.17.290 by adding a definition of "clergy member." The Department agrees with this definition.

Section 4 amends the uncodified law to address clergy reports of past sexual abuse. The amendment states that on or before January 1, 2004, a member of the clergy or a custodian of records for the clergy may report to the Department or law enforcement, suspected or known child sexual abuse that may have occurred in the past that they did not report. This applies even if the alleged victim has reached the age of majority. Law enforcement would have the jurisdiction to investigate these reports of past sexual abuse. There would be no penalty for failure to report the suspected abuse in the past. The Department supports this amendment.

Should this bill become law the department does not anticipate any fiscal impact.