

# FISCAL NOTE

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

Fiscal Note Number: 1  
 Bill Version: SB 59  
 (S) Publish Date: 4/10/03

Revision Date/Time (Note if correction): \_\_\_\_\_ Dept. Affected: Administration  
 Title An Act related to PFD ineligibility for BRU Legal and Advocacy Services  
DUI or Refusal conviction Component Public Defender Agency  
 Sponsor Senator Cowdery  
 Requester (S) JUD Component No. 1631

**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>***</b>	<b>***</b>	<b>***</b>	<b>***</b>	<b>***</b>	<b>***</b>

<b>CAPITAL EXPENDITURES</b>						
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<b>CHANGE IN REVENUES ( )</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>***</b>	<b>***</b>	<b>***</b>	<b>***</b>	<b>***</b>	<b>***</b>

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)

See attached page for analysis.

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 Approved by: Mike Miller, Commissioner  
 Agency: Department of Administration

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 Date/Time: 2/19/03 9:26 AM  
 Date: 2/19/2003

This legislation would make a person convicted of DUI or Refusal ineligible for a PFD for the qualifying year they were convicted and if it was their second or subsequent offense, the person would be ineligible for five years.

The Public Defender Agency's operations may be affected by this bill. With these increased penalties for convictions for DUI and Refusal, more people charged with these offenses may choose to go to trial. This would increase the workload of the Agency. For many indigent people, the PFD is one of their primary sources of income, and when they are convicted of a crime and owe fines, restitution, surcharges, fees, and other financial obligations including child support, their PFD is often attached and used towards those amounts due. If people convicted of DUI or Refusal are ineligible for a PFD for a qualifying year, and/or four more years for repeat offenders, the dividend could not be used to offset restitution, fines, or other debts owed. If they are not able to pay restitution, fines, surcharges, or fees, whose payment is a condition of their probation or parole, and are in violation of those conditions, petitions to revoke probation or parole would be filed. This would also increase the caseload and workload of the Agency, however, it is not possible to determine the extent of that impact. The Agency represents indigent persons in both parole and probation revocations, and both may increase if this bill becomes law, but it is not possible to predict the increased number. Therefore, an indeterminate fiscal note is submitted.