

# FISCAL NOTE

**STATE OF ALASKA**  
**2004 LEGISLATIVE SESSION**

Fiscal Note Number: 2  
 Bill Version: SB 246  
 (S) Publish Date: 3/24/04

Revision Date/Time (Note if correction): \_\_\_\_\_ Dept. Affected: Public Safety  
 Title Act Relating to Hate Crimes RDU Alaska State Troopers  
 Component AST Detachments  
 Sponsor Sen. Lincoln  
 Requester (S) State Affairs Component No. 2325

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

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

OPERATING EXPENDITURES	FY 2005	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010
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 ( )</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 (FY2004) cost: 0.0

Mark this box (X) if funding for this bill is included in the Governor's FY 2005 budget proposal:

**POSITIONS**

Full-time						
Part-time						
Temporary						

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

If enacted, this bill will address several issues in law regarding charging a person with a criminal offense, sentencing that person if convicted, and establishing the capabilities of a complainant to bring a civil lawsuit against another if the action of the other person is driven by prejudice, bias, or hatred.

Section 1 amends AS 09.55 by adding a paragraph (09.55.670) that allows an individual to bring civil action against another or against the parents or legal guardian of a minor who has caused physical injury to the individual or damage to the property of the individual with the intent to intimidate or harass the individual because of the individual's actual or perceived race, sex, color, creed, physical or mental disability, sexual orientation, ancestry, or national origin.

Prepared by: Lt. Al Storey Phone 269-4532  
 Division: Alaska State Troopers Date/Time 3/22/04 10:55 AM  
 Approved by: Commissioner William Tandeske Date 3/22/2004  
 Agency: Department of Public Safety

**FISCAL NOTE #2**

**STATE OF ALASKA  
2004 LEGISLATIVE SESSION**

**BILL NO.** SB 246

**ANALYSIS CONTINUATION**

Section 2 amends AS 11.76 by adding a new section that in essence establishes the law of "motivation by prejudice, bias, or hatred" if a person commits a crime in this title and the person knowingly directed the conduct constituting the crime at the victim of the crime because of the victim's actual or perceived race, sex, color, etc. The classifications of these hate based crimes would be one category up from what the core offense would normally be, i.e.. a class A misdemeanor would become a class C felony.

Section 3 through 12 of this bill address issues related to charging and sentencing those who perpetrate "hate crimes". Contained within these provisions are mandatory minimum sentences, non-suspension of sentences, and language to deal with minor offenders.

Section 13 requires Health and Social Services to develop and implement a diversity training program for minors who have been referred to the program because of "hate crime" conduct.

The Alaska State Troopers do not anticipate any fiscal impact if this proposed bill were to become law.