

FISCAL NOTE

STATE OF ALASKA
2008 LEGISLATIVE SESSION

Fiscal Note Number: 3
 Bill Version: HB 323
 (H) Publish Date: 1/17/08

Identifier (file name): 0038-DOA-OPA-1-08-08 Dept. Affected: Administration
 Title: "An Act relating to the crimes of assault in the fourth degree and of resisting or interfering with arrest; . . ." RDU: Legal and Advocacy Services
 Sponsor: Rules Committee Component: Office of Public Advocacy
 Requester: Governor Component Number: 43

Expenditures/Revenues (Thousands of Dollars)

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

	Appropriation Required	Information					
		FY 2009	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013
OPERATING EXPENDITURES							
Personal Services	*	*	*	*	*	*	*
Travel	*	*	*	*	*	*	*
Contractual	*	*	*	*	*	*	*
Supplies	*	*	*	*	*	*	*
Equipment	*	*	*	*	*	*	*
Land & Structures	*	*	*	*	*	*	*
Grants & Claims	*	*	*	*	*	*	*
Miscellaneous	*	*	*	*	*	*	*
TOTAL OPERATING	*	*	*	*	*	*	*

CAPITAL EXPENDITURES							
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CHANGE IN REVENUES ()							
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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 Interagency Receipts							
TOTAL	*	*	*	*	*	*	*

Estimate of any current year (FY2008) cost: 0.0

POSITIONS

Full-time							
Part-time							
Temporary							

ANALYSIS: *(Attach a separate page if necessary)*
 This bill will convert the class A misdemeanor crime of assault in fourth degree into a class C felony for criminal defendants previously convicted of two misdemeanor assaults or other crimes in violation of AS 11.41.100 - 11.41.289 within 10 years. This bill will also expand the definition of resisting arrest to include resisting arrest by disobeying an order of a peace officer. Additionally, this bill will expand the court's authority to issue search warrants by phone, and the bill sets out additional procedures to be followed when a criminal defendant is incompetent to stand trial. The bill also eliminates the ten day requirement for execution and return of search warrants. Because this bill will create a new felony offense and because it expands the definition of resisting arrest, it will have a fiscal impact on OPA. Unfortunately, it is not possible to reliably predict what this impact will be. Therefore, the agency submits an indeterminate fiscal note.

Prepared by: Joshua P. Fink, Director Phone 907-269-3501
 Division: Office of Public Advocacy Date/Time 1/8/08 4:00 p.m.
 Approved by: Rachael Petro, Deputy Commissioner Date 1/8/2008
Department of Administration