

FISCAL NOTE

STATE OF ALASKA
2008 LEGISLATIVE SESSION

Fiscal Note Number: 4
 Bill Version: HB 323
 (H) Publish Date: 1/17/08

Identifier (file name): 0038-DOA-PDA-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: Public Defender Agency
 Requester: Governor Component Number: 1631

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	FY 2014
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 warrant. Because this bill will create a new felony offense and because it expands the definition of resisting arrest, it will likely have a fiscal impact on the Agency. It is, however, not possible to reliably predict the fiscal impact. The Agency, therefore, submits an indeterminate fiscal note.

Prepared by: Quinlan Steiner, Director Phone 907-334-4414
 Division: Public Defender Agency Date/Time 1/8/08 4:00 p.m.
 Approved by: Rachael Petro, Deputy Commissioner Date 1/8/2008
Department of Administration