

# FISCAL NOTE

**STATE OF ALASKA**  
**2007 LEGISLATIVE SESSION**

Fiscal Note Number: 6  
 Bill Version: CSSB 36(JUD)  
 (S) Publish Date: 3/21/07

Revision Date/Time (Note if correction): \_\_\_\_\_ Dept. Affected: Law  
 Title An Act relating to sentencing for alcohol related RDU Criminal Division  
crimes. Component Criminal Justice Litigation  
 Sponsor Senator Therriault  
 Requester Senate State Affairs Component No. \_\_\_\_\_

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

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

OPERATING EXPENDITURES	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013
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 (FY2007) cost: 0.0

Check this box (X) if funding for this bill is included in the Governor's FY 2008 budget proposal:

**POSITIONS**

Full-time						
Part-time						
Temporary						

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

Please see the attached Analysis Continuation sheet.

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 Agency: Department of Law

Phone: 465-5427  
 Date/Time: 1/26/07 11:10 AM  
 Date: 1/26/2007

STATE OF ALASKA  
2007 LEGISLATIVE SESSION

BILL NO. CSSB 36(JUD)

**ANALYSIS CONTINUATION**

This bill would allow a court, as part of a sentence for conviction of a crime against a person, or in certain drunk driving and refusal to submit to a breathalyzer offenses, to order the defendant not to consume alcohol for a period up to the defendant's lifetime. The court would first have to make certain findings by clear and convincing evidence, such as for a crime against a person, that the defendant's conduct was substantially influenced by the consumption of alcohol. The violation of the order imposed as a part of sentence would be a new crime, consumption of alcohol in violation of sentence. Violation of the new crime would be a class A misdemeanor for the first offense, and a class C felony for a second or subsequent offense.

Under current law courts may order a person not to drink as a condition of probation. Many petitions to revoke probation are based, at least in part, by violation of this condition. This suggests that the provisions in the bill may have a significant impact on the caseload of the District Attorneys offices; however, the budget impact is indeterminable since it is impossible to predict with any certainty how many such violations will arise. .