

# FISCAL NOTE

**STATE OF ALASKA**  
**2010 LEGISLATIVE SESSION**

Fiscal Note Number: 1  
 Bill Version: HB 324  
 (H) Publish Date: 2/3/10

Identifier (file name): 0910-DOA-OPA-12-10-09 Dept. Affected: DOA  
 Title An Act relating to the crime of failure to appear; relating to RDU Legal and Advocacy Services  
arrest for violating certain conditions of release . . . . Component Office of Public Advocacy  
 Sponsor Rules Committee  
 Requester Governor Component Number 43

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

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

OPERATING EXPENDITURES	Appropriation Required	Information					
	FY 2011	FY 2011	FY 2012	FY 2013	FY 2014	FY 2015	FY 2016
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>0.0</b>

<b>CAPITAL EXPENDITURES</b>							
-----------------------------	--	--	--	--	--	--	--

<b>CHANGE IN REVENUES ( )</b>							
-------------------------------	--	--	--	--	--	--	--

**FUND SOURCE** (Thousands of Dollars)

1002 Federal Receipts							
1003 GF Match							
1004 GF							
1005 GF/Program Receipts							
1037 GF/Mental Health							
Other Interagency Receipts							
<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>	<b>0.0</b>

Estimate of any current year (FY2010) cost: 0.0

**POSITIONS**

Full-time							
Part-time							
Temporary							

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

This bill makes changes and additions to the statutes applicable to bail in criminal cases, reduces the proof requirements to obtain convictions for failure to appear, expands the circumstances under which a material witness may be detained, and increases the maximum amount of time between arrest and initial appearance before a judicial officer from twenty-four to forty-eight hours.

Analysis continued on the second page.

Prepared by: Rachel Levitt, Director Phone 907 269-3504  
 Division Office of Public Advocacy Date/Time 12/10/09, 4:30 p.m.  
 Approved by: Rachael Petro, Deputy Commissioner Date 12/15/2009  
Department of Administration

**FISCAL NOTE #1**

**STATE OF ALASKA  
2010 LEGISLATIVE SESSION**

**BILL NO. HB 324**

**ANALYSIS CONTINUATION**

Among the changes to the bail statutes, the bill includes a list of mandatory conditions of release for all defendants and a list of additional conditions of release that the court may impose. Under this legislation, a defendant will not be given a second bail review until the Court System provides information regarding a defendant's previous criminal charges and history of compliance with release. The bill will also codify a rebuttable presumption against release in certain categories of pretrial cases. Additionally, it will exclude certain categories of people from becoming third party custodians.

The agency does not predict a significant fiscal impact as a result of the proposed statute. Accordingly, the agency submits a zero fiscal note.