

FISCAL NOTE

STATE OF ALASKA
2010 LEGISLATIVE SESSION

Fiscal Note Number: 9
 Bill Version: CSSB 222(JUD)
 (H) Publish Date: 4/13/10

Identifier (file name): CSSB222(JUD)-DOA-OPA-04-12-10 Dept. Affected: DOA
 Title An Act relating to the crimes of harassment, possession RDU Legal and Advocacy Services
of child pornography and . . . Component Office of Public Advocacy
 Sponsor SRLS by Request
 Requester HFIN 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							
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	0.0	0.0	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY2010) cost: _____

POSITIONS

Full-time							
Part-time							
Temporary							

ANALYSIS: (Attach a separate page if necessary)

This bill makes additions and changes to a number of criminal statutes and discovery procedures associated with sex offenses and child pornography prosecutions. Some of these changes will have a fiscal impact on the agency although it is not possible to determine the precise amount at this time. Therefore, the agency has submitted an indeterminate fiscal note.

Analysis continued on the second page.

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 Date/Time 04/12/10, 9:30 AM
 Date 4/12/2010

FISCAL NOTE #9

**STATE OF ALASKA
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BILL NO. CSSB 222(JUD)

ANALYSIS CONTINUATION

The bill will create a new misdemeanor crime of harassment for touching another person without consent. Additionally, the bill will eliminate the mens rea element associated with circumstances under which someone fails to register as a sex offender.

This bill will also change the procedures for defense access to evidence in child pornography cases. Under the proposed change to Criminal Rule 16, the evidence that forms the basis of such charges must remain in the custody and control of a law enforcement agency and the prosecuting attorney, and no copies can be made. This will result in additional costs associated with the logistics of the defense reviewing and evaluating evidence.

The agency does not have a reliable way of estimating the number of cases that will be impacted by the discovery rule change. It is anticipated that the agency may bear an additional \$20.0 - \$30.0 for each case affected. Accordingly, the agency submits an indeterminate fiscal note.