

# FISCAL NOTE

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

Fiscal Note Number: 2  
 Bill Version: SB 241  
 (S) Publish Date: 1/27/10

Identifier (file name): 0812-DOA-OPA-12-15-09 Dept. Affected: DOA  
 Title: An Act relating to post-conviction DNA testing . . . RDU: Legal and Advocacy Services  
 Component: Office of Public Advocacy  
 Sponsor: \_\_\_\_\_  
 Requester: Governor Component Number: 43

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

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

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

Estimate of any current year (FY2010) cost: \_\_\_\_\_

**POSITIONS**

Full-time								
Part-time								
Temporary								

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

This bill would create a procedure for DNA testing in post-conviction cases where a defendant was convicted of a crime under AS 11.41. The bill also creates a procedure for preserving and destroying physical evidence as well as a task force for standards for preservation of evidence. Because OPA handles all of the conflicts of interest from the Public Defender Agency, including any claims by clients that they received ineffective assistance of counsel from their PDA trial attorney, the agency receives a substantial portion of the post-conviction relief assignments. It is possible that cases filed under this new procedure could increase the attorney and support staff workload. Additionally, the agency must rely upon private contractors to handle a portion of these cases when the agency staff has a conflict of interest. The agency does not predict a significant fiscal impact as a result of this statute and therefore submits a zero fiscal note.

Prepared by: Rachel Levitt, Director  
 Division: Office of Public Advocacy  
 Approved by: Rachael Petro, Deputy Commissioner  
Department of Administration

Phone 907-269-3504  
 Date/Time 12/23/2009, 4:00 PM  
 Date 12/23/2009