

FISCAL NOTE

STATE OF ALASKA
2011 LEGISLATIVE SESSION

Fiscal Note Number 7
 Bill Version SCS CSHB 7(JUD)
 (S) Publish Date 4/16/11

Identifier (file name) HB007SCS-DOC-OC-04-15-11 Dept. Affected DOC
 Title "An Act classifying synthetic cannabinoids as schedule IIIA" Appropriation Admin & Support
 Allocation Commissioner's Office
 Sponsor Rep. Munoz, Herron, Kerttula, Gatto, Lynn & Pruitt
 Requester Judiciary Committee OMB Component Number 694

Expenditures/Revenues (Thousands of Dollars)

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

	Appropriation Required	Information						
		FY 2012	FY 2012	FY 2013	FY 2014	FY 2015	FY 2016	FY 2017
OPERATING EXPENDITURES								
Personal Services								
Travel								
Services								
Commodities								
Capital Outlay								
Grants								
Miscellaneous								
TOTAL OPERATING		**	**	**	**	**	**	**

CAPITAL EXPENDITURES	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
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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 (please identify)								
TOTAL		**	**	**	**	**	**	**

Estimate of any current year (FY2011) cost 0.0

POSITIONS

Full-time								
Part-time								
Temporary								

Why this fiscal note differs from previous version (if initial version, please note as such)

This version of the bill includes charges for possession of organic herbs that contain synthetic cannabinoids.

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 Approved by Joseph D. Schmidt, Commissioner
Dept. of Corrections

Phone 465-3339
 Date/Time 4/15/2011 6:30 p.m.
 Date 4/15/2011

Analysis

This legislation makes synthetic cannabinoids a schedule IIIA controlled substance.

Currently, possession of a schedule IIIA is a Class A misdemeanor if the amount possessed is less than 3 grams (AS 11.71.050) or a Class C Felony if the amount possessed is over 3 grams (AS 11.71.040). Manufacturing or delivering a schedule IIIA controlled substance is a Class B felony (AS 11.71.030). The sentences for these crimes range anywhere from 0 - 10 years.

The current average daily cost of care to house an inmate is \$136.44. Therefore, housing one offender could have a potential impact to the department ranging from \$0.0 (no time served) to \$498.0 (for a 10-year sentence).

This bill makes possession of the liquid form of synthetic cannabinoids a class C felony for possession of 3 grams or more a class A misdemeanor for 3 grams or less.

Additionally, this legislation would make possession of 12 grams or more of organic herbs that contain synthetic cannabinoids a class C felony. Possession of 6-12 grams of organic herbs that contain synthetic cannabinoids a class A misdemeanor and possession of 6 grams and under of organic herbs that contain synthetic cannabinoids a class B misdemeanor.

Department of Corrections is unable to determine the fiscal impacts of the passage of this legislation, as we cannot estimate the total number of actual violations that will occur. Should this legislation pass, the department will closely monitor the fiscal impact.