

FISCAL NOTE

STATE OF ALASKA
2011 LEGISLATIVE SESSION

Fiscal Note Number: 5
 Bill Version: CSHB 127(JUD)
 (H) Publish Date: 3/14/11

Identifier (file name): HB127-DHSS-PS-02-04-11 Dept. Affected: Health and Social Services
 Title: Crimes Involving Minors/Stalking/Info Appropriation: Juvenile Justice
 Allocation: Probation Services
 Sponsor: RLs by Request of the Governor
 Requester: House JUD Committee OMB Component Number: 2134

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		0.0	0.0	0.0	0.0	0.0	0.0	0.0

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 (please identify)								
TOTAL		0.0	0.0	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY2011) cost: _____

POSITIONS

Full-time								
Part-time								
Temporary								

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

N/A

Prepared by: Barbara Henjum, Director
 Division: Juvenile Justice
 Approved by: Alison Elgee, Assistant Commissioner
DHSS Finance & Management Services

Phone 907.465-2112
 Date/Time 2/4/11 5:00 PM
 Date 2/4/2011

FISCAL NOTE #5

STATE OF ALASKA
2011 LEGISLATIVE SESSION

BILL NO. CSHB 127(JUD)

Analysis:

If this bill becomes law, Unlawful Exploitation of a Minor would be a class A felony when committed by an adult or juvenile. Under the Juvenile Delinquency statutes (AS 47.12.030), when a juvenile 16 or older is alleged to have committed an A felony against a person, juvenile jurisdiction does not apply and the juvenile is transferred to the adult system. Increasing the charge class for Unlawful Exploitation of a Minor to an A felony therefore would result in these older juveniles being "autowaived" into the adult system, where they would be subject to adult sentencing guidelines.

Criminal laws that are amended or are increased in the severity of their charge class include Stalking, Online Enticement of a Minor, Unlawful Exploitation of a Minor, Endangering the Welfare of a Child (First Degree), Harassment (Second Degree), and Distribution of Indecent Material to Minors. The bill creates three new offenses: Sending An Explicit Image of a Minor, Misconduct Involving Confidential Information (First Degree), and Misconduct Involving Confidential Information (Second Degree). The bill also adds a clarifying section to Title 12 (Sentencing and Probation) to clarify that a person may be prosecuted under Alaska law for committing Online Enticement of a Minor or Sending an Explicit Image of a Minor even though the defendant may be in another state when the offense was committed. The bill also makes changes to sentencing guidelines of Title 12 to reflect the changes in charge class that are proposed for Unlawful Exploitation of a Minor and Online Enticement of a Minor.

If this bill passes, there would be no financial impact to the Division of Juvenile Justice budget.