

FISCAL NOTE

STATE OF ALASKA
2012 LEGISLATIVE SESSION

Bill Version CSHB 224(FIN) am
 Fiscal Note Number 5
 (S) Publish Date 3/30/12

Identifier (file name) HB224CS(FIN)am-LAW-CIV-03-27-12 Dept. Affected Law
 Title An Act prohibiting the sale or gift of a product containing Appropriation Civil
nicotine to a minor under certain conditions. Allocation Commercial and Fair Business
 Sponsor Representative(s) Seaton
 Requester (S) Health & Social Services OMB Component Number 2717

Expenditures/Revenues (Thousands of Dollars)

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

	FY13 Appropriation Requested	Included in Governor's FY13 Request	Out-Year Cost Estimates				
			FY14	FY15	FY16	FY17	FY18
OPERATING EXPENDITURES	FY13	FY13	FY14	FY15	FY16	FY17	FY18
Personal Services							
Travel							
Services							
Commodities							
Capital Outlay							
Grants, Benefits							
Miscellaneous							
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0	0.0

FUND SOURCE		(Thousands of Dollars)					
1002	Federal Receipts						
1003	GF Match						
1004	GF						
1005	GF/Prgm (DGF)						
1037	GF/MH (UGF)						
1178	temp code (UGF)						
TOTAL		0.0	0.0	0.0	0.0	0.0	0.0

POSITIONS							
Full-time							
Part-time							
Temporary							

CHANGE IN REVENUES							
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Estimated SUPPLEMENTAL (FY12) operating costs _____ (separate supplemental appropriation required,
 (discuss reasons and fund source(s) in analysis section)

Estimated CAPITAL (FY13) costs _____ (separate capital appropriation required,
 (discuss reasons and fund source(s) in analysis section)

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

Updated for new Attorney General.

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 Division Administrative Services
 Approved by Michael C. Geraghty, Attorney General
Department of Law

Phone 465-3675
 Date/Time 03/27/2012 1:30PM
 Date 3/27/2012

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BILL NO. CSHB 224(FIN) am

Analysis

HB 224 adds a new AS 11.76.109 making it a violation (punishable by a fine of \$300-\$500) to sell a non-tobacco product containing nicotine to persons under 19. (Sales of tobacco to persons under 19 are already a violation under AS 11.76.100.) An employer can also be prosecuted for negligently failing to advise an employee making the sale of this prohibition. The bill excepts products approved by the FDA as tobacco cessation products (e.g., nicotine patches) if they are marketed as such and are provided to the individual by one of four routes (prescribed by a health care professional, given to the person by a parent or guardian, supplied through a DHSS-administered tobacco cessation program, or provided by a pharmacist even without a prescription to a customer 18 or older).

There should be no anticipated fiscal impact on the Department of Law. Although there might be a slight increase in prosecutions, it should fall within Law's ability to handle with current resources.