

FISCAL NOTE

STATE OF ALASKA
2012 LEGISLATIVE SESSION

Bill Version CSHB 293(JUD)
 Fiscal Note Number 3
 (H) Publish Date 2/24/12

Identifier (file name) HB293-LAW-CRIM-02-10-12 Dept. Affected Law
 Title An act relating to the rights of crime victims; Appropriation Criminal
relating to duties of prosecuting attorneys. Allocation Criminal Justice Litigation
 Sponsor REPRESENTATIVE TUCK
 Requester (H) Judiciary OMB Component Number 2202

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					
			FY13	FY14	FY15	FY16	FY17	FY18
OPERATING EXPENDITURES								
Personal Services	***	***	***	***	***	***	***	***
Travel								
Services								
Commodities								
Capital Outlay								
Grants, Benefits								
Miscellaneous								
TOTAL OPERATING	***	***	***	***	***	***	***	***

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		***	***	***	***	***	***	***

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)

Not applicable, initial version.

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Phone 465-5427
 Date/Time 2/10/12 7:30 PM
 Date 2/10/2012

FISCAL NOTE #3

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BILL NO. CSHB 293(JUD)

Analysis

HB 293 provides that a victim has the right to be notified of a request for a continuance that may substantially delay the prosecution of a case, including the trial, sentencing, appeal, and any hearing addressing the defendant's release from custody. It requires the prosecution to inform the victim of any pending motion that may substantially delay the prosecution and to inform the court of the victim's position on the motion. The term "substantially" is not defined.

It could be argued that the prosecution and the courts are already considering the victim's position before granting a motion to continue a case and that the additional requirements in the bill are unnecessary. To the extent that the position of victims are not already being considered by the court, this bill could add to the cost of a prosecution.

For example **Section 1** requires notice of a request for a continuance and applies to both felonies and misdemeanors. In 2011 the state prosecuted 7,561 felonies and 22, 721 misdemeanors. Additional notification could require significant staff time.

Therefore the fiscal impact cannot be accurately determined.