

# FISCAL NOTE

**STATE OF ALASKA**  
**2012 LEGISLATIVE SESSION**

Bill Version CSHB 359(JUD)  
 Fiscal Note Number 8  
 Publish Date 3/21/12 (H)

Identifier (file name) HB359-ACS-TRC-2-28-2012 Dept. Affected Alaska Court System  
 Title Human trafficking; furnishing indecent material to minors; video conferencing Appropriation Trial Courts  
 Allocation \_\_\_\_\_  
 Sponsor Rules  
 Requester Request of the Governor OMB Component Number 768

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

**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)							
<b>TOTAL</b>		<b>***</b>	<b>***</b>	<b>***</b>	<b>***</b>	<b>***</b>	<b>***</b>	<b>***</b>

**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)**

Initial version

Prepared by Nancy Meade, General Counsel  
 Division Alaska Court System  
 Approved by Nancy Meade for Christine Johnson, Administrative Director  
Alaska Court System

Phone 907-463-4736  
 Date/Time 2/28/2012 1:00 p.m.  
 Date 2/28/2012

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**Analysis**

House Bill 359 changes the crimes of prostitution in the first, second, third and fourth degrees to sex trafficking, and adds the crimes of human trafficking and sex trafficking in the first degree to the definition of "serious felony offense" under the conspiracy law. These changes have no fiscal impact on the court system.

The bill also amends the crime of distribution of indecent materials to minors (AS 11.61.128(a)) by requiring intent and knowledge as elements of the crime, it creates new crimes, and it requires persons with a sex offense in another jurisdiction to register as a sex offender in Alaska. These changes could have the effect of changing the number and types of criminal cases that are filed with and handled by the court system. However, the number of cases filed under AS 11.61.128(a) in FY 2011 was low, and the court expects that it would handle any additional cases under this bill in the normal course, without any fiscal impact. The court will monitor the cases filed under the revised statutes to determine whether the bill does cause a significant change, but a fiscal impact from those revisions is not expected.

In addition, Section 25 of House Bill 359 adds a Rule of Criminal Procedure that allows for two-way videoconferencing for witness testimony in criminal trials when the parties agree or when the court authorizes it because it is found to be necessary to further an important public policy, the witness is not available, and the testimony is given under oath and subject to cross-examination. Similarly, Section 16 adds a new subsection to AS 12.47.100 allowing the testimony of witnesses in competency hearings to be presented by two-way videoconferencing in certain circumstances.

The court does not view this bill as requiring installation of high-quality, high-definition videoconferencing cameras, televisions, and speakers in courtrooms, and therefore is not basing its fiscal note on the high cost of that undertaking. Still, the bill may result in the increased costs associated with the increased use of "webcams" for the video testimony of witnesses, such as the costs of software and, possibly, access to increased bandwidth. The court cannot accurately determine how many trials and competency hearings might include testimony by videoconferencing under this bill, and therefore submits an indeterminate fiscal note.