

# FISCAL NOTE

STATE OF ALASKA cost # codes  
 2012 LEGISLATIVE SESSION

Bill Version HCS CSSB 98(HSS)  
 Fiscal Note Number 3  
 Publish Date 4/12/12 (H)

Identifier (file name) SB098CS(JUD) LAW-CIV-04-11-12 Dept. Affected Law  
 Title An Act relating to biometric information. Appropriation Civil  
 Allocation Human Services  
 Sponsor SENATORS WIELECHOWSKI  
 Requester (H) Judiciary OMB Component Number 2962

**Expenditures/Revenues** (Thousands of Dollars)

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

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

| POSITIONS |  |  |  |  |  |  |  |  |
|-----------|--|--|--|--|--|--|--|--|
| Full-time |  |  |  |  |  |  |  |  |
| Part-time |  |  |  |  |  |  |  |  |
| Temporary |  |  |  |  |  |  |  |  |

| CHANGE IN REVENUES |  |  |  |  |  |  |  |  |
|--------------------|--|--|--|--|--|--|--|--|
|--------------------|--|--|--|--|--|--|--|--|

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 fiscal impact from zero to indeterminate.

Prepared by Sheila Bugbee, Administrative Officer  
 Division Administrative Services  
 Approved by Michael C. Geraghty, Attorney General  
Department of Law

Phone 465-3675  
 Date/Time 4/11/12 4:00PM  
 Date 4/11/2012

**FISCAL NOTE #3**

**STATE OF ALASKA  
2012 LEGISLATIVE SESSION**

**BILL NO. HCS CSSB 98(HSS)**

**Analysis**

This bill provides a framework for all entities, including state agencies that collect, analyze, or distribute biometric information. The state uses biometric information in a number of instances, such as occupational licensing, back ground checks, etc.... This bill provides specific rules as to the retention and destruction of biometric information and includes express exceptions for law enforcement, information collected by the DMV, and for uses that are authorized by state and federal law. Finally, this bill includes a private right of action if this statute is violated. Prior versions of the bill included an express immunity provision for the state. This version removed that immunity provision for state agencies, thereby making the state liable for violations of this statute. Without this immunity provision, the fiscal impact of this legislation is indeterminate.