

FISCAL NOTE

STATE OF ALASKA
2012 LEGISLATIVE SESSION

Bill Version HCS CSSB 135(FIN)
 Fiscal Note Number 9
 (H) Publish Date 4/13/12

Identifier (file name) HCS CSSB135(FIN)-ACS-TRC-04-12-2012 Dept. Affected Alaska Court System
 Title Rights of Crime Victims; Continuances; Appt of Counsel Appropriation Trial Courts
 Allocation _____
 Sponsor Senator French
 Requester _____ 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
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	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)

Initial version.

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

Phone 907-463-4736
 Date/Time 4/12/2012 12:00 P.M.
 Date 4/12/2012

FISCAL NOTE #9

**STATE OF ALASKA
2012 LEGISLATIVE SESSION**

BILL NO. HCS CSSB 135(FIN)

Analysis

HCS CSSB 135(FIN) provides that a victim has the right to be notified when certain motions may substantially delay the prosecution of a case. Sections 7 and 8 of the bill amend Criminal Rule 45 to require the judge to consider the interests of the crime victim, if known, when deciding whether to grant a motion to continue. These revisions will be implemented by the judges without fiscal impact on the court system.

Section 3 of HCS CSSB 135(FIN) amends the statute concerning how the determination of a defendant's indigency is made when the defendant requests a public defender (court-appointed counsel). The revision to AS 18.85.120(b) directs the court to require the defendant to certify under oath, subject to the penalties for perjury, material factors relative to the person's financial resources and ability to pay.

In addition, section 6 of the bill amends the Criminal Rule concerning eligibility for public counsel (Crim. Rule 39.1) by specifying that the defendant is subject to the penalties for perjury when the defendant provides information to the court about his or her financial status.

The court will implement this legislation with no financial impact, and therefore submits a zero fiscal note.