

# FISCAL NOTE

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

Bill Version CSSB 210(JUD)  
 Fiscal Note Number 1  
 (S) Publish Date 3/26/12

Identifier (file name) SB210-DOA-OPA-2-24-12 Dept. Affected Administration  
 Title Crimes Against Children Appropriation Legal and Advocacy Services  
 Allocation Office of Public Advocacy  
 Sponsor Senator McGuire  
 Requester Senate Judiciary OMB Component Number 43

**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>

**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)**

Not applicable, initial version

Prepared by Richard Allen, Director  
 Division Office of Public Advocacy  
 Approved by John Cramer, Deputy Commissioner  
Department of Administration

Phone 907 269-3504  
 Date/Time 2/24/12 9:45 AM  
 Date 2/24/2012

## FISCAL NOTE #1

STATE OF ALASKA  
2012 LEGISLATIVE SESSION

BILL NO. CSSB 210(JUD)

### Analysis

This bill amends AS 11.41.200(a) by adding several components regarding children to the definitions of assault in the first, second, and third degrees. Assault in the first degree is modified by including the following: an adult *intentionally* causing “serious bodily harm” to a child under 16 years of age with a disability, an adult *recklessly* causing “serious bodily harm” to a child under 12 years of age, and an adult *recklessly* causing “serious bodily harm” on multiple occasions to a child under the age 16 with a disability. Assault in the first degree is a class A felony that carries a sentence of up to twenty (20) years imprisonment.

Assault in the second degree is modified by including the following: an adult *knowingly* causing serious “bodily harm” to a child under 16 years of age with a disability, an adult *recklessly* causing “physical injury” to a child under 12 years of age, and an adult *recklessly* causing “physical injury” on multiple occasions to a child under the age of 16 with a disability. Assault in the second degree is a class B felony that carries a sentence of up to ten (10) years imprisonment.

Assault in the third degree is modified by changing the age range, from 10 years of age to 12 years of age, when an adult causes physical injury to a child and the injury would cause a reasonable caregiver to seek medical attention from a healthcare professional and changes the age arrange from 10-16 years of age to 12-16 years of age when an adult *knowingly* causes “physical injury to a child and the injury reasonably requires medical treatment. Assault in the third degree is a class C felony that carries a sentence of up to five (5) years imprisonment.

Additionally, this bill amends the crime of endangering the welfare of a minor by including exposing the child to various controlled substances. Penalties for violation of this provision range from a class A misdemeanor to a class B felony with a potential sentence of up to ten (10) years imprisonment. This bill also makes several changes to the statutes defining criminal non-support by including monetary support ordered in another jurisdiction and basic sustenance to the definition of “support,” among others.

Finally, this bill makes changes to AS 12.55.155 by adding as an aggravator for sentencing crimes that resulted in serious bodily harm to a child that resulted in extended or substantial impairment to the child’s mental health.

This bill creates new crimes that will have a fiscal impact on the Office of Public Advocacy. At this point it is impossible to predict what that impact will be with regards to the number of new cases that will be charged or the number of cases that will be upgraded to more serious felonies under this bill, these modifications are likely to increase the level, and therefore the cost, at which these cases are charged and litigated. The Office of Public Advocacy, therefore, submits an indeterminate fiscal note.