

# Fiscal Note

State of Alaska  
2014 Legislative Session

Bill Version: HB 313  
Fiscal Note Number: 4  
(H) Publish Date: 3/24/14

Identifier: HB313-LAW-CRIM-03-10-14  
Title: MITIGATING FACTOR: COMBAT-RELATED PTSD  
Sponsor: GARA  
Requester: HOUSE MILITARY AND VETERAN'S AFFAIRS

Department: Department of Law  
Appropriation: Criminal Division  
Allocation: Criminal Justice Litigation  
OMB Component Number: 2202

## Expenditures/Revenues

Note: Amounts do not include inflation unless otherwise noted below. (Thousands of Dollars)

	FY2015	Included in	Out-Year Cost Estimates				
	Appropriation Requested	Governor's FY2015 Request	FY 2016	FY 2017	FY 2018	FY 2019	FY 2020
<b>OPERATING EXPENDITURES</b>	<b>FY 2015</b>	<b>FY 2015</b>	<b>FY 2016</b>	<b>FY 2017</b>	<b>FY 2018</b>	<b>FY 2019</b>	<b>FY 2020</b>
Personal Services	***		***	***	***	***	***
Travel							
Services							
Commodities							
Capital Outlay							
Grants & Benefits							
Miscellaneous							
<b>Total Operating</b>	***	<b>0.0</b>	***	***	***	***	***

## Fund Source (Operating Only)

None							
<b>Total</b>	***	<b>0.0</b>	***	***	***	***	***

## Positions

Full-time							
Part-time							
Temporary							

<b>Change in Revenues</b>							
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**Estimated SUPPLEMENTAL (FY2014) cost:** 0.0 *(separate supplemental appropriation required)*  
*(discuss reasons and fund source(s) in analysis section)*

**Estimated CAPITAL (FY2015) cost:** 0.0 *(separate capital appropriation required)*  
*(discuss reasons and fund source(s) in analysis section)*

## ASSOCIATED REGULATIONS

Does the bill direct, or will the bill result in, regulation changes adopted by your agency? No  
If yes, by what date are the regulations to be adopted, amended or repealed?

## Why this fiscal note differs from previous version:

Initial version, not applicable.

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Division: <u>Department of Law</u>	Date: <u>03/07/2014 12:00 AM</u>
Approved By: <u>Michael C. Geraghty, Attorney General</u>	Date: <u>03/10/14</u>
Agency: <u>Department of Law</u>	

FISCAL NOTE ANALYSIS #4

STATE OF ALASKA  
2014 LEGISLATIVE SESSION

BILL NO. HB 313

**Analysis**

HB 313 would add a new mitigating factor for sentencing persons convicted of a felony. It would allow a mitigator if the defendant was affected by a combat-related post-traumatic stress disorder or combat-related traumatic brain injury that substantially affected the defendant's behavior. If proven, the court would have discretion to reduce the term of imprisonment below the presumptive range.

The proposed new factor would not apply to persons convicted of crimes against a person (AS 11.41) or arson in the first degree (AS 11.46.400). The fiscal impact for the Department of Law is indeterminate because it will require expert testimony on the issue of whether the person suffers from such a disorder and if so, did it substantially affect his or her behavior.