

# Fiscal Note

State of Alaska  
2014 Legislative Session

Bill Version: CSHB 366(JUD)  
Fiscal Note Number: 8  
(H) Publish Date: 3/24/14

Identifier: HB366CS(JUD)-DPS-CRID-03-20-14  
Title: INVOLUNTARY COMMITMENT  
Sponsor: PRUITT  
Requester: House Judiciary

Department: Department of Public Safety  
Appropriation: Statewide Support  
Allocation: Alaska Criminal Records and Identification  
OMB Component Number: 1190

## 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>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

## Fund Source (Operating Only)

None							
<b>Total</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</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If yes, by what date are the regulations to be adopted, amended or repealed?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:

Updated to reflect zero costs.

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Division: <u>Statewide Services</u>	Date: <u>03/20/2014 03:15 PM</u>
Approved By: <u>Gary Folger, Commissioner</u>	Date: <u>03/20/14</u>
Agency: <u>Department of Public Safety</u>	

## FISCAL NOTE ANALYSIS #8

STATE OF ALASKA  
2014 LEGISLATIVE SESSION

BILL NO. CSHB 366(JUD)

### Analysis

This bill would allow the Department of Public Safety (DPS) to receive from the Alaska Court System and the Department of Health and Social Services certain records related to involuntary commitments and adjudications of mental illness or mental incompetence and subsequently transmit those records to the FBI for inclusion in the National Instant Criminal Background Check System (NICS).

The NICS is a national system that checks available records in three databases to determine if prospective firearm buyers are disqualified from receiving firearms. A NICS check includes a check of the following three databases that are maintained by the FBI:

- Interstate Identification Index (III or "Triple I"), a database on criminal history record information;
- National Crime Information Center (NCIC) which includes information on persons subject to civil protection orders and arrest warrants; and
- NICS Index which includes the information contributed by federal and state agencies identifying persons prohibited from possessing firearms who are not included in the III or NCIC, such as persons with a prohibiting mental health history.

When information about involuntary commitments and adjudications of mental illness or mental incompetence is provided to the NICS, the FBI can deny firearm transfers to persons with disqualifying mental health histories both in the state where the record was created and in other states to which the person may have subsequently moved.

The records DPS would receive under this bill would be maintained in a separate database. This would further protect the confidentiality of the records and ensure they would only be available for the purposes outlined in the bill.

Software development and programming is necessary to create a separate repository for records related to involuntary commitments and adjudications of mental illness or mental incompetence, safeguard access to them, allow semi-automated submission of records, allow modification or withdrawal of submitted records, and allow audits and reporting against the new database.

The one-time costs associated with this work were initially estimated at \$24,400 for contractor costs. DPS has reevaluated this estimate and believes these costs can be absorbed from within the department's existing budget. Passage of this bill would make DPS eligible to apply for grant funds made available through the NICS Improvement Amendments Act (NIAA) of 2007. Grant funds received through NIAA would be used to establish and upgrade information automation and identification technologies for timely submission of information relevant to NICS checks.