

Fiscal Note

State of Alaska
2016 Legislative Session

Bill Version:	CSSSHB 11(JUD) am
Fiscal Note Number:	11
(S) Publish Date:	1/27/2016

Identifier: HB011CSSS(JUD)-DHSS-FLSW-1-6-16
 Title: NO INTERNET ACCESS TO SOME CRIM. CASES
 Sponsor: WILSON
 Requester: Senate Rules

Department: Department of Health and Social Services
 Appropriation: Children's Services
 Allocation: Front Line Social Workers
 OMB Component Number: 2305

Expenditures/Revenues

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

	FY2017	Included in	Out-Year Cost Estimates					
	Appropriation Requested	Governor's FY2017 Request	FY 2017	FY 2018	FY 2019	FY 2020	FY 2021	FY 2022
OPERATING EXPENDITURES	FY 2017	FY 2017	FY 2017	FY 2018	FY 2019	FY 2020	FY 2021	FY 2022
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	0.0

Fund Source (Operating Only)

None								
Total	0.0	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 (FY2016) cost: 0.0 *(separate supplemental appropriation required)*
(discuss reasons and fund source(s) in analysis section)

Estimated CAPITAL (FY2017) 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 If yes, by what date are the regulations to be adopted, amended or repealed? n/a

Why this fiscal note differs from previous version:

Updated for current fiscal year.

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Division:	Office of Children's Services	Date:	01/13/2016 01:00 PM
Approved By:	Sana Efird, Assistant Commissioner	Date:	01/25/16
Agency:	Finance and Management Services, DHSS		

FISCAL NOTE ANALYSIS

STATE OF ALASKA
2016 LEGISLATIVE SESSION**Analysis**

Section 2 of this bill mandates that the Alaska Court System may not publish on its public website the records of criminal cases in which all charges were dismissed (and not dismissed as a result of a plea deal), and/or acquitted in their entirety, that were disposed before the effective date of this bill. Section 1 adds legislative intent language that to the extent practicable, the Court shall remove from its website the criminal records meeting those same criteria, in cases that preceded the effective date of this Act.

This bill would remove from CourtView criminal cases in which all charges have been either acquitted and/or dismissed, in their entirety, as long as the case or charges were not dismissed as a result of a plea deal. In those instances, those charges and cases under Rule 11, would remain on CourtView and be accessible to the public.

Currently, all records this bill would remove are available online in the publicly accessible database, CourtView. This bill would provide a protection of privacy while maintaining due process rights for the public, removing from CourtView records pertaining to criminal charges and cases, in which all charges are dismissed and/or acquitted; making them inaccessible through the Internet.

These records would still be considered public and accessible at the courthouse. Further, these records could be electronically transmitted as they do not contain personal health information. Continued access to such records is important for employees who are responsible for the health, safety, welfare, or placement of a child, a person with a physical or intellectual disability or a person with mental illness.

This bill could also impact the timeliness of a background check if there were discrepancies between the Alaska Public Safety Information Network (APSIN) criminal history information and CourtView information. If such a discrepancy arose, applicants for employment subject to background checks through Health Care Services would be required to provide court documents verifying conditions around the dismissal or the Health Care Services Background Check staff would have to obtain the court records. This could create delays or barriers to employment.

This bill does not impact the National Crime Information Center (NCIC), or the Alaska Public Safety Information Network databases.