

Fiscal Note

State of Alaska
2016 Legislative Session

Bill Version:	CSHB 317(JUD)
Fiscal Note Number:	2
(H) Publish Date:	4/5/2016

Identifier: HB317-DPS-COMM-03-29-16
 Title: FORFEITURE:NO CIVIL IN REM; ONLY
 CRIMINAL
 Sponsor: WILSON
 Requester: Judiciary

Department: Department of Public Safety
 Appropriation: Statewide Support
 Allocation: Commissioner's Office
 OMB Component Number: 523

Expenditures/Revenues

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

	FY2017 Appropriation Requested	Included in Governor's FY2017 Request	Out-Year Cost Estimates				
	FY 2017	FY 2017	FY 2018	FY 2019	FY 2020	FY 2021	FY 2022
OPERATING EXPENDITURES	***		***	***	***	***	***
Personal Services							
Travel							
Services							
Commodities							
Capital Outlay							
Grants & Benefits							
Miscellaneous							
Total Operating	***	0.0	***	***	***	***	***

Fund Source (Operating Only)

None							
Total	***	0.0	***	***	***	***	***

Positions

Full-time	1.0						
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 If yes, by what date are the regulations to be adopted, amended or repealed?

Why this fiscal note differs from previous version:

Not applicable, initial version.

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 Division: Administrative Services
 Approved By: Gary Folger, Commissioner
 Agency: Public Safety

Phone: (907)465-4336
 Date: 03/29/2016 03:00 PM
 Date: 03/29/16

FISCAL NOTE ANALYSIS

STATE OF ALASKA
2016 LEGISLATIVE SESSION

Analysis

This bill amends statutes related to asset forfeiture and associated court rules.

This bill will affect the revenue received by the state through civil asset forfeiture and the amount received by the Department of Public Safety (DPS) and other law enforcement agencies through federal asset forfeitures. These amounts can vary significantly from year to year and cannot be estimated. Therefore, the change in revenue received is listed as indeterminate.

A new section, AS 12.36.610, requires all law enforcement agencies, including the Department of Public Safety (DPS), to track all items seized and forfeited along with the demographic information regarding persons whose property was seized or forfeited. DPS is then required to compile the annual reports of seizures and forfeitures submitted from all law enforcement agencies and publish the report on the department's website. To meet these new requirements, DPS would need one additional Criminal Justice Technician I position to perform this work at an annual cost of \$69,700.

Passage of this bill could potentially increase costs to the Alaska Wildlife Troopers with respect to managing illegally taken fish and game statewide. Currently, fish or game taken in violation of statutes and regulations belongs to the state. Though illegally taken fish or game may sometimes be stored in chest freezers in AWT offices as evidence, the vast majority is given to charity groups across the state. If the bill requires that AWT retain the illegally taken fish and game until the case is disposed of, there will be additional costs to store the fish or game (estimated to be in excess of 100 thousand pounds annually). This may include costs for freezer vans, renting space at fish processing plants or other unforeseen costs. If the bill allows the defendant to keep these items, DPS would not incur these storage costs.

Finally, under this bill DPS is required to attend additional court proceedings, evidentiary hearings, and forfeiture hearings which could increase costs if a trooper is required to come in on their day off or outside of regular duty hours.

Because the fiscal impact of this legislation cannot be accurately determined at this time, an indeterminate fiscal note is being submitted.