

Fiscal Note

State of Alaska
2015 Legislative Session

Bill Version:	CSSB 30(FIN)
Fiscal Note Number:	12
(S) Publish Date:	3/23/2015

Identifier: SB030-LAW-CRIM-03-14-15
 Title: MARIJUANA REG;CONT.
 SUBST;CRIMES;DEFENSES
 Sponsor: JUDICIARY
 Requester: (S) FIN

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)

	FY2016	Included in	Out-Year Cost Estimates				
	Appropriation Requested	Governor's FY2016 Request	FY 2017	FY 2018	FY 2019	FY 2020	FY 2021
OPERATING EXPENDITURES	FY 2016	FY 2016					
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

Fund Source (Operating Only)

None							
Total	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 (FY2015) cost: 0.0 (separate supplemental appropriation required)
 (discuss reasons and fund source(s) in analysis section)

Estimated CAPITAL (FY2016) 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 If yes, by what date are the regulations to be adopted, amended or repealed?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:

This fiscal note differs from the initial version because it reflects the changes made in Senate Finance.

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 Agency: Department of Law

Phone: (907)465-3674
 Date: 03/14/2015 11:02 PM
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REPORTED OUT OF
SFC 03/23/2015

FISCAL NOTE ANALYSIS

STATE OF ALASKA
2015 LEGISLATIVE SESSION

Analysis

This legislation amends the misconduct involving controlled substances statutes to incorporate the provisions of Ballot Measure #2, An Act to Tax and Regulate the Production, Sale, and Use of Marijuana. It establishes new possession limits for marijuana and marijuana plants and prohibits certain conduct relating to marijuana.

Misconduct Involving a Controlled Substance in the Fourth Degree (Class C Felony)

This statute has been amended to establish new felony level thresholds for possession of marijuana outside the home. This crime prohibits a person from possessing 16 ounces or more of usable marijuana outside the home and 25 or more marijuana plants.

Misconduct Involving a Controlled Substance in the Fifth Degree (Class A Misdemeanor)

This statute has been amended to prohibit a person from possessing at least three but less than 16 ounces of usable marijuana outside the home and at least 12 but less than 25 plants. It also prohibits a person from delivering more than an ounce of useable marijuana or more than six plants for remuneration.

Misconduct Involving a Controlled Substance in the Sixth Degree (Class B Misdemeanor)

This statute has been amended to prohibit a person from possessing at least two but less than three ounces of usable marijuana outside the home and seven to ten marijuana plants.

Misconduct Involving a Controlled Substance in the Seventh Degree (Violation)

This is a new violation. This violation prohibits conduct such as minors possessing less than two ounces of usable marijuana. It also prohibits operating a motor vehicle while using marijuana and persons over the age of 21 from using marijuana in public.

Failure to Carry Proof of Registration

SB 30 requires a person who works for a marijuana establishment to carry proof that they are licensed under AS 17.38 when transporting more than one ounce of marijuana. If a person is cited they may avoid conviction by presenting their valid license in court or to the citing officer. Failure to Carry Proof of Registration is a violation. All of the violations created in the legislation allow a person to avoid a court appearance and pay any fines by mail.

This legislation reschedules hashish and hash oil from a IIIA controlled substance to a VIA controlled substance, similar to marijuana. On February 24, 2017, hashish and hash oil will be rescheduled back into schedule IIIA.

The Department of Law does not anticipate a fiscal impact.