

Fiscal Note

State of Alaska
2015 Legislative Session

Bill Version:	CSSB 30(FIN)
Fiscal Note Number:	14
(S) Publish Date:	3/23/2015

Identifier: SB030CS(FIN)-ACS-TRC-03-14-15
 Title: MARIJUANA REG;CONT.
 SUBST;CRIMES;DEFENSES
 Sponsor: JUDICIARY
 Requester: Senate Finance

Department: Judiciary
 Appropriation: Alaska Court System
 Allocation: Trial Courts
 OMB Component Number: 768

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	FY 2017	FY 2018	FY 2019	FY 2020	FY 2021
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 If yes, by what date are the regulations to be adopted, amended or repealed?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:

New CS from Senate Finance Committee. Fiscal impact remains zero.

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 Agency: Alaska Court System

Phone: (907)463-4736
 Date: 03/14/2015 12:00 PM
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REPORTED OUT OF
SFC 03/23/2015

FISCAL NOTE ANALYSIS

STATE OF ALASKA
2015 LEGISLATIVE SESSION

Analysis

The Finance Committee Substitute for SB 30 (version U) makes numerous statutory changes to implement the initiative known as Ballot Measure 2 that the Alaska voters passed in November 2014 to legalize certain amounts of recreational marijuana. CSSB 30 (FIN) concerns the criminal aspects of implementing legalized marijuana in Alaska.

Generally, the bill amends the criminal drug possession laws in AS 11.71 to make certain conduct related to personal marijuana use (as contemplated in the initiative) no longer crimes by adding a "non-applicability" provision to the criminal statutes, and by categorizing the possession/manufacture/delivery of illegal marijuana as different crimes depending on the volume of marijuana involved. The CS also amends the crimes of promoting contraband (sections 3 and 4), adds a new violation to AS 11.71 for Misconduct involving a Controlled Substance in the 7th degree (section 12), and creates three other new violations in AS 17.38.200, .210, and .220 (section 32). The bill also makes a number of other changes that are not expected to have a fiscal impact on the court system.

New AS 17.38.230 in section 32 requires the Supreme Court to create a bail forfeiture schedule (fine schedule) so that persons who receive a citation for the violations can pay the scheduled fine without a mandatory court appearance. Further, AS 17.38.240 requires the court to remove from its publicly available website of case records (after a case is closed) the court records of persons who were under 21 when they committed the offense that led to the court case.

The impact on the court system from CSSB 30 (FIN) is difficult to predict with certainty, but is not expected to be large. Some activity that is currently a crime and that leads to cases being filed and handled in the court system will no longer be a crime, but other activities relating to marijuana use remain a crime or become a new crime or violation, depending on the amounts of marijuana involved, the status of the defendant as registered or unregistered, and the age of the defendant. If CSSB 30 (FIN) becomes law, the supreme court will create the bail forfeiture schedule as required in AS 17.38.230, the court's administrative office will develop a mechanism for removing the case records of those under 21 from CourtView, and the courts will handle all cases filed under the new provisions in the normal course of its business.

In summary, though the actual impact on case filings is not certain, and though it will affect the court's workload somewhat, this bill is unlikely to result in a fiscal impact on the court system, which therefore submits this zero fiscal note.