

# Fiscal Note

State of Alaska  
2018 Legislative Session

Bill Version:	SB 147
Fiscal Note Number:	3
(S) Publish Date:	1/18/2018

Identifier: DOC-IDO-11-20-17  
 Title: MISCO. CONTROLLED SUBSTANCE 2ND DEGREE  
 Sponsor: RLS BY REQUEST OF THE GOVERNOR  
 Requester: GOVERNOR

Department: Department of Corrections  
 Appropriation: Population Management  
 Allocation: Institution Director's Office  
 OMB Component Number: 1381

### Expenditures/Revenues

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

	FY2019	Included in	Out-Year Cost Estimates				
	Appropriation Requested	Governor's FY2019 Request	FY 2020	FY 2021	FY 2022	FY 2023	FY 2024
<b>OPERATING EXPENDITURES</b>	<b>FY 2019</b>	<b>FY 2019</b>					
Personal Services			180.9	180.9	180.9	180.9	180.9
Travel			32.4	32.4	32.4	32.4	32.4
Services			52.9	52.9	52.9	52.9	52.9
Commodities			132.4	132.4	132.4	132.4	132.4
Capital Outlay							
Grants & Benefits							
Miscellaneous							
<b>Total Operating</b>	<b>0.0</b>	<b>0.0</b>	<b>398.6</b>	<b>398.6</b>	<b>398.6</b>	<b>398.6</b>	<b>398.6</b>

### Fund Source (Operating Only)

1004 Gen Fund (UGF)			398.6	398.6	398.6	398.6	398.6
<b>Total</b>	<b>0.0</b>	<b>0.0</b>	<b>398.6</b>	<b>398.6</b>	<b>398.6</b>	<b>398.6</b>	<b>398.6</b>

### Positions

Full-time							
Part-time							
Temporary							

### Change in Revenues

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>

**Estimated SUPPLEMENTAL (FY2018) cost:** 0.0 *(separate supplemental appropriation required)*  
*(discuss reasons and fund source(s) in analysis section)*

**Estimated CAPITAL (FY2019) 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 If yes, by what date are the regulations to be adopted, amended or repealed?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/comments:

Initial Version.

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Division:	Administrative Services - Department of Corrections	Date:	11/20/2017 03:00 PM
Approved By:	Dean Williams, Commissioner	Date:	11/20/17
Agency:	Department of Corrections		

## FISCAL NOTE ANALYSIS

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## Analysis

This legislation creates a new section, 11.71.025, redefining Misconduct of a Controlled Substance in the Second Degree (MICS2) and increases the presumptive sentencing from a B Felony to an A Felony.

In FY 2017, there were 193 offenders incarcerated for a Felony B Drug charge within a DOC facility. The Department of Public Safety identified 141 persons that were arrested on a drug charge in the last three years that could be charged under this new section as a Felony A for an annual average of 47 offenders that could be impacted by this legislation.

As this legislation redefines MICS2 and no current data exists, using the non-violent Felony A average length of stay is the closest offender data available for estimating the anticipated impacts to the daily inmate population. Based on FY2017 DOC offender data, the average length of stay for a Felony B drug offense is 216.62 days and the average length of stay for non-violent Felony A offenses is 421.05 days for an increase of 204.43 days. Using the annual average, it is estimated that 47 offenders will be staying an additional 204.43 days per offender for an increase of \$398,644.60 annually under this legislation.

The expected impacts for FY2019 would be zero assuming persons charged or convicted during the first year with this passed legislation would have already been incarcerated under prior law. Therefore, annual funding would be needed starting in FY2020.