

Fiscal Note

State of Alaska
2019 Legislative Session

Bill Version:	HB 10
Fiscal Note Number:	1
(H) Publish Date:	4/12/2019

Identifier: HB10-DHSS-PS-3-29-2019
 Title: CONTROLLED SUBSTANCE POSSESSION;
 SENTENCE
 Sponsor: KOPP
 Requester: (H) STA

Department: Department of Health and Social Services
 Appropriation: Juvenile Justice
 Allocation: Probation Services
 OMB Component Number: 2134

Expenditures/Revenues

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

	FY2020	Included in	Out-Year Cost Estimates				
	Appropriation Requested	Governor's FY2020 Request	FY 2021	FY 2022	FY 2023	FY 2024	FY 2025
OPERATING EXPENDITURES	FY 2020	FY 2020					
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

None							
Total	0.0	0.0	0.0	0.0	0.0	0.0	0.0

Estimated SUPPLEMENTAL (FY2019) cost: 0.0 *(separate supplemental appropriation required)*

Estimated CAPITAL (FY2020) cost: 0.0 *(separate capital appropriation required)*

Does the bill create or modify a new fund or account? No
(Supplemental/Capital/New Fund - 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 If yes, by what date are the regulations to be adopted, amended or repealed?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:

Not applicable; initial version based on the Governor's February 13, 2019 FY2020 amended budget request.

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Division:	Juvenile Justice	Date:	01/17/2019
Approved By:	Sana Efirid Administrative Services Director	Date:	02/01/19
Agency:	Office of Management and Budget		

FISCAL NOTE ANALYSIS

STATE OF ALASKA
2019 LEGISLATIVE SESSION**Analysis**

HB010 amends the crime of *Misconduct involving a controlled substance in the third degree* (AS 11.71.040) to include possession of any amount of IA or 2A substances if a defendant has two or more previous convictions for *Misconduct involving a controlled substance in the third degree* (AS 11.71.040) or *fourth degree* (AS 11.71.050) or similar crimes in another jurisdiction. The bill creates an alternative sentencing structure for these offenses that allows the defendant to participate in a treatment program and, if the defendant is successful, have the charge vacated.

This bill does not apply to juvenile offenders because juveniles referred to the Division of Juvenile Justice are “adjudicated for delinquent offenses”, not convicted of crimes. Juveniles referred to the Division of Juvenile Justice receive services based upon their needs and risk to reoffend. Offenders receive substance abuse screenings and assessments, and when warranted, receive court ordered substance abuse treatment in the community or in a secure Division of Juvenile Justice treatment facility. The bill will have not programmatic or fiscal impact on the Division.