

Fiscal Note

State of Alaska
2019 Legislative Session

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

Identifier: HB010-DOA-PDA-3-29-19
 Title: CONTROLLED SUBSTANCE POSSESSION;
 SENTENCE
 Sponsor: KOPP
 Requester: (H)STA

Department: Department of Administration
 Appropriation: Legal and Advocacy Services
 Allocation: Public Defender Agency
 OMB Component Number: 1631

Expenditures/Revenues

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

	FY2020 Appropriation Requested	Included in Governor's FY2020 Request	Out-Year Cost Estimates				
			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	***	***	***	***	***

Fund Source (Operating Only)

None							
Total	***	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 If yes, by what date are the regulations to be adopted, amended or repealed?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 2-13-19 Governor's FY2020 request.

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Division:	Public Defender Agency	Date:	03/29/2019
Approved By:	Cheryl Lowenstein, Director	Date:	03/29/19
Agency:	Office of Management and Budget		

FISCAL NOTE ANALYSIS

STATE OF ALASKA
2019 LEGISLATIVE SESSION**Analysis**

This bill elevates the charging level for possession of some controlled substances to a C felony when the offender has two or more prior convictions for similar conduct. This bill excludes persons convicted under this provision from participation in suspended imposition and suspended entry of judgment arrangements. This bill creates a substitution of judgement for those convicted under this provision to allow them to successfully complete probation and treatment in order to have the charge converted to a lower level misdemeanor offense.

Cases with increased charging levels and penalties require more resources to litigate. Additionally, the Agency cannot predict the number of new cases that may be charged as a result of this legislation or whether those charged would be appointed a public defender. The Public Defender Agency, therefore, submits an indeterminate fiscal note subject to review of estimates from the Department of Law on potential felony caseload increases.