

# Fiscal Note

State of Alaska  
2019 Legislative Session

Bill Version:	HB 49
Fiscal Note Number:	2
(H) Publish Date:	2/20/2019

Identifier: 0029-DPS-CJISP-01-22-19  
 Title: CRIMES; SENTENCING; MENT. ILLNESS; EVIDENCE  
 Sponsor: RLS BY REQUEST OF THE GOVERNOR  
 Requester: Governor

Department: Department of Public Safety  
 Appropriation: Statewide Support  
 Allocation: Criminal Justice Information Systems Program  
 OMB Component Number: 3200

## 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
<b>OPERATING EXPENDITURES</b>	<b>FY 2020</b>	<b>FY 2020</b>	<b>FY 2021</b>	<b>FY 2022</b>	<b>FY 2023</b>	<b>FY 2024</b>	<b>FY 2025</b>
Personal Services							
Travel							
Services							
Commodities							
Capital Outlay							
Grants & Benefits							
Miscellaneous							
<b>Total Operating</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>

## Fund Source (Operating Only)

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>

## 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 (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 If yes, by what date are the regulations to be adopted, amended or repealed?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.

Prepared By:	Kelly Howell, Special Assistant to the Commissioner	Phone:	(907)465-4336
Division:	Commissioner's Office	Date:	01/22/2019 02:35 PM
Approved By:	Dan Spencer, Administrative Services Director	Date:	01/22/19
Agency:	Office of Management and Budget		

## FISCAL NOTE ANALYSIS

STATE OF ALASKA  
2019 LEGISLATIVE SESSION**Analysis**

This bill amends AS 47.30.907 by adding a new subsection to allow the Department of Public Safety (DPS) to receive from the Alaska Court System certain records related to involuntary commitments and adjudications of mental illness or mental incompetence that occurred prior to October 2014 for inclusion in the National Instant Criminal Background Check System (NICS).

Under current law, the Alaska Court System may only provide such records from October 2014 forward.

The NICS is a national system that checks available records in three databases to determine if prospective firearm buyers are disqualified from receiving firearms. A NICS check includes a check of the following three databases that are maintained by the FBI: Interstate Identification Index (III or "Triple I"), a database on criminal history record information; National Crime Information Center (NCIC) which includes information on persons subject to civil protection orders and arrest warrants; and NICS Index which includes the information contributed by federal and state agencies identifying persons prohibited from possessing firearms who are not included in the III or NCIC, such as persons with a prohibiting mental health history.

When information about involuntary commitments and adjudications of mental illness or mental incompetence is provided to the NICS, the FBI can deny firearm transfers to persons with disqualifying mental health histories both in the state where the record was created and in other states to which the person may have subsequently moved.

These records are maintained in a separate database to protect the confidentiality of the records and to ensure they are only available for the purposes outlined under AS 47.30.907.

DPS anticipates any additional workload resulting from passage of this bill can be absorbed with existing staff. Therefore, a zero fiscal note is being submitted.