

# Fiscal Note

State of Alaska  
2020 Legislative Session

Bill Version:	CSHB 290(JUD)
Fiscal Note Number:	1
(H) Publish Date:	3/16/2020

Identifier: HB290-LAW-CRIM-2-28-20  
 Title: ALTERNATIVE TO ARREST: MENTAL HEALTH  
 CTR.  
 Sponsor: CLAMAN  
 Requester: (H) Judiciary

Department: Department of Law  
 Appropriation: Criminal Division  
 Allocation: Criminal Justice Litigation  
 OMB Component Number: 2202

**Expenditures/Revenues**

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

	FY2021	Included in	Out-Year Cost Estimates				
	Appropriation Requested	Governor's FY2021 Request	FY 2022	FY 2023	FY 2024	FY 2025	FY 2026
<b>OPERATING EXPENDITURES</b>	<b>FY 2021</b>	<b>FY 2021</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 (FY2020) cost:** 0.0 *(separate supplemental appropriation required)*

**Estimated CAPITAL (FY2021) 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 If yes, by what date are the regulations to be adopted, amended or repealed?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.

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Division:	Criminal Division	Date:	02/28/2020
Approved By:	Valerie Rose, Acting Administrative Services Director	Date:	02/28/20
Agency:	Office of Management and Budget		

## FISCAL NOTE ANALYSIS

STATE OF ALASKA  
2020 LEGISLATIVE SESSION**Analysis**

This bill establishes that a peace officer may choose to deliver a person to a crisis stabilization center or evaluation facility or decline to arrest a person if the officer believes that the person is suffering from an acute episode of mental illness and the person voluntarily agrees to be taken to a crisis stabilization center or evaluation facility. If a person agrees to be taken to such a facility they must be evaluated within three hours after arriving. If the peace officer requests, the facility must notify the peace officer before the person is released to the community.

If the person enters into an agreement to participate in outpatient treatment under this legislation, the agreement may not require the person to stipulate to any facts regarding the alleged criminal activity, may not be used in any criminal or civil proceeding, and does not create any immunity from prosecution. If the person violates an agreement under this legislation, reasonable efforts shall be made to inform the arresting officer of the violation and the original charges may be filed or referred to a prosecutor.

This legislation impacts whether a person is arrested and may divert some criminal cases away from prosecution, therefore, the Department of Law does not anticipate a fiscal impact from this legislation.