

Fiscal Note

State of Alaska
2021 Legislative Session

Bill Version:	CSHB 105(JUD)
Fiscal Note Number:	4
(H) Publish Date:	3/12/2021

Identifier: HB105-JUD-ACS-3-4-21
Title: DETENTION OF MINORS
Sponsor: RLS BY REQUEST OF THE GOVERNOR
Requester: House Judiciary

Department: Judiciary
Appropriation: Alaska Court System
Allocation: Trial Courts
OMB Component Number: 768

Expenditures/Revenues

Note: Amounts do not include inflation unless otherwise noted below.

(Thousands of Dollars)

	FY2022 Appropriation Requested	Included in Governor's FY2022 Request	Out-Year Cost Estimates				
OPERATING EXPENDITURES	FY 2022	FY 2022	FY 2023	FY 2024	FY 2025	FY 2026	FY 2027
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 (FY2021) cost: 0.0 (separate supplemental appropriation required)

Estimated CAPITAL (FY2022) cost: 0.0 (separate capital appropriation required)

Does the bill create or modify a new fund or account? 0
(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If yes, by what date are the regulations to be adopted, amended or repealed?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:

Initial version.

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Agency: Alaska Court System

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FISCAL NOTE ANALYSIS

STATE OF ALASKA
2021 LEGISLATIVE SESSION

Analysis

House Bill 105 makes several changes to the court system's responsibilities when certain minors are within the custody of, or are subject to the jurisdiction of, the Division of Juvenile Justice [DJJ] or the Department of Corrections [DOC].

Section 3 of the bill adds a new subsection into existing law requiring a court to issue a written order, including specified findings, when a minor who is a child in need of aid violates the court's order regarding placement of the child, and the court determines the minor must be placed in a juvenile detention home. This applies if the minor is found to be a runaway in willful violation of the court order. The court expects the number of these determinations and orders to be low, and anticipates no fiscal impact from the new requirements in section 3 of HB 105.

Section 8 of the bill adds a new section that applies when minors are either "auto-waived" into adult court under AS 47.12.030(a), or prosecuted in adult court under the "discretionary waiver" provision, AS 47.12.100(a). Until those minors turn 18 and are transferred to the DOC, their placement will be handled under an agreement between the DJJ and the DOC. Under new AS 47.12.105(c), a court may order a minor to be held in an adult facility under certain circumstances, after considering specified factors. Further, the court must hold periodic hearings if a minor is held in an adult facility.

These changes will impact the court's workload in these cases of auto waiver or discretionary waiver, but the court system anticipates that it can handle these new hearings and orders without fiscal impact.