

Fiscal Note

State of Alaska
2023 Legislative Session

Bill Version:	SSHB 11
Fiscal Note Number:	6
(H) Publish Date:	5/9/2023

Identifier: HB11-DPS-CJISP-01-19-2023
 Title: CRIME: ASSAULT IN THE PRESENCE OF A CHILD
 Sponsor: JOSEPHSON
 Requester: (H) Judiciary

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)

	FY2024	Included in	Out-Year Cost Estimates				
	Appropriation Requested	Governor's FY2024 Request	FY 2025	FY 2026	FY 2027	FY 2028	FY 2029
OPERATING EXPENDITURES	FY 2024	FY 2024					
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 (FY2023) cost: 0.0 *(separate supplemental appropriation required)*

Estimated CAPITAL (FY2024) 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 If yes, by what date are the regulations to be adopted, amended or repealed?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:	Statewide Services	Date:	01/20/2023
Approved By:	Pam Halloran, Administrative Services Director	Date:	01/20/2023
Agency:	Department of Public Safety		

FISCAL NOTE ANALYSIS

STATE OF ALASKA
2023 LEGISLATIVE SESSION**Analysis**

This bill amends Alaska Statute (AS) 11.41 by adding a new section, AS 11.41.240, establishing the crime of Assault in the Presence of a Child as a class A misdemeanor. The term assault as presented in this bill would fall under AS 11.41.200 – 11.41.230 for Assault in the first, second, or third degree.

Since this criminal offense would fall under the scope of AS 18.66.990 as a crime of domestic violence/crime involving domestic violence, it could be a federal firearm prohibitor under Title 18, United States Code (U.S.C.) section 922(g)(8). As part of the Fix National Instant Criminal Background Check System (NICS) Act, the DPS provides qualifying state records to the Federal Bureau of Investigation (FBI) NICS Indices.

If the FBI NICS legal analysis unit determines this new misdemeanor crime of domestic violence/crime involving domestic violence qualifies as a federal firearm disqualifier, the DPS will need to program the state's central repository of criminal history records to submit convictions for this new crime to the FBI NICS Indices. At this time, the programming change is anticipated to be minor, and costs would be nominal.