

# Fiscal Note

State of Alaska  
2023 Legislative Session

|                     |          |
|---------------------|----------|
| Bill Version:       | SSHB 11  |
| Fiscal Note Number: | 7        |
| (H) Publish Date:   | 5/9/2023 |

Identifier: HB011-DOA-PDA-1-19-23  
 Title: CRIME: ASSAULT IN THE PRESENCE OF A CHILD  
 Sponsor: JOSEPHSON  
 Requester: House Judiciary

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)

|                               | FY2024<br>Appropriation<br>Requested | Included in<br>Governor's<br>FY2024<br>Request | Out-Year Cost Estimates |                |                |                |                |
|-------------------------------|--------------------------------------|--|-------------------------|----------------|----------------|----------------|----------------|
|                               |                                      |  | FY 2025                 | FY 2026        | FY 2027        | FY 2028        | FY 2029        |
| <b>OPERATING EXPENDITURES</b> | <b>FY 2024</b>                       | <b>FY 2024</b>                                 | <b>FY 2025</b>          | <b>FY 2026</b> | <b>FY 2027</b> | <b>FY 2028</b> | <b>FY 2029</b> |
| Personal Services             | 160.8                                |  | 160.8                   | 160.8          | 160.8          | 160.8          | 160.8          |
| Travel                        | 4.7                                  |  | 4.7                     | 4.7            | 4.7            | 4.7            | 4.7            |
| Services                      | 36.8                                 |  | 36.8                    | 36.8           | 36.8           | 36.8           | 36.8           |
| Commodities                   | 3.5                                  |  | 3.5                     | 3.5            | 3.5            | 3.5            | 3.5            |
| Capital Outlay                |                                      |  |                         |                |                |                |                |
| Grants & Benefits             |                                      |  |                         |                |                |                |                |
| Miscellaneous                 |                                      |  |                         |                |                |                |                |
| <b>Total Operating</b>        | <b>205.8</b>                         | <b>0.0</b>                                     | <b>205.8</b>            | <b>205.8</b>   | <b>205.8</b>   | <b>205.8</b>   | <b>205.8</b>   |

### Fund Source (Operating Only)

|                     |              |            |              |              |              |              |              |
|---------------------|--------------|------------|--------------|--------------|--------------|--------------|--------------|
| 1004 Gen Fund (UGF) | 205.8        |            | 205.8        | 205.8        | 205.8        | 205.8        | 205.8        |
| <b>Total</b>        | <b>205.8</b> | <b>0.0</b> | <b>205.8</b> | <b>205.8</b> | <b>205.8</b> | <b>205.8</b> | <b>205.8</b> |

### Positions

|           |     |  |     |     |     |     |     |
|-----------|-----|--|-----|-----|-----|-----|-----|
| Full-time | 1.0 |  | 1.0 | 1.0 | 1.0 | 1.0 | 1.0 |
| 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 (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? N/A

### Why this fiscal note differs from previous version/comments:

Not applicable, initial version.

|              |   |        |                     |
|--------------|---|--------|---------------------|
| Prepared By: | Samantha Cherot, Public Defender                | Phone: | (907)334-4414       |
| Division:    | Public Defender Agency                          | Date:  | 01/19/2023 12:00 AM |
| Approved By: | Leslie Isaacs, Administrative Services Director | Date:  | 01/20/23            |
| Agency:      | Department of Administration                    |        |                     |

## FISCAL NOTE ANALYSIS

STATE OF ALASKA  
2023 LEGISLATIVE SESSION**Analysis**

This bill allows someone to be charged with a crime for committing an assault in the presence of a child under the age of 16. The act must be committed with reckless disregard that the child was present in the dwelling, vehicle, or location. This new crime is punishable by up to one year of incarceration.

New crimes result in additional workload for the Public Defender Agency. The Agency is unable to absorb additional workload increases as a result of trial case backlog created by jury trial suspensions in response to Covid-19 and by unprecedented recruitment and retention challenges facing public defense nationwide. The Agency is therefore requesting one Attorney position in FY2024 and beyond.

Add 1 Attorney 1-4 position (Anchorage Range 22 Step C)

Personal Services - \$ 160.8

Indirect rates - \$ 13.7

Case costs (experts, transcripts, etc.) - \$ 23.1

Travel - \$ 4.7

Commodities - \$ 3.5