

# Fiscal Note

State of Alaska  
2023 Legislative Session

Bill Version:	CSSB 53(HSS)
Fiscal Note Number:	2
(S) Publish Date:	3/10/2023

Identifier: SB53-FCS-IMH-API-2-17-2023  
 Title: FIVE-YEAR INVOLUNTARY COMMITMENTS  
 Sponsor: CLAMAN  
 Requester: Senate Health and Social Services

Department: Department of Family and Community Services  
 Appropriation: Inpatient Mental Health  
 Allocation: Alaska Psychiatric Institute  
 OMB Component Number: 3311

**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
<b>OPERATING EXPENDITURES</b>	<b>FY 2024</b>	<b>FY 2024</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 (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?** 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 If yes, by what date are the regulations to be adopted, amended or repealed? N/A

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

Not applicable; initial version.

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Division:	Alaska Psychiatric Institute	Date:	02/17/2023 01:00 PM
Approved By:	Marian Sweet, Assistant Commissioner	Date:	02/17/23
Agency:	Department of Family and Community Services		

## FISCAL NOTE ANALYSIS

STATE OF ALASKA  
2023 LEGISLATIVE SESSION**Analysis**

SB53 requires the Department of Law to file a petition seeking involuntary commitment orders for defendants who remain incompetent to stand trial after all criminal competency restoration orders have expired, and extends the length of time between judicial reviews that the court may order patients who have been previously found incompetent to stand trial to be held under the Title 47 civil commitment process. Current statute limits these involuntary commitment orders for up to six months, SB53 would allow the court to extend commitment orders up to five years. The extended order length is limited to offenders who have a history of repeated felony offenses against a person. SB53 requires the Department of Family and Community Services to provide an annual report with information on the number of patients committed under this section. This reporting requirement will not have a fiscal impact on the department. The bill also requires that a discharge hearing be held before a patient held under this new provision is released from department custody.

This bill may increase the length of time that some patients spend in court ordered civil commitment at the Department of Family and Community Services, Alaska Psychiatric Institute (API). SB53 may indirectly affect bed capacity due to beds being occupied by some patients for longer lengths of stay, reducing bed availability for other patients. Because API is budgeted for full capacity of 80 patients, SB53 will have no fiscal impact on the department.