

HB

74

SFIN

FILE

No. 1

Bill Version HB 74

(H) Publish Date: 2/1/95

FISCAL NOTE

STATE OF ALASKA
1995 LEGISLATIVE SESSION

Revision Date: _____ Dept. Affected: Corrections
 Title: An Act relating to the assault of children by adults BRU: all
 Component: all
 Sponsor: Rep. Bunde
 Requester: Rep. Bunde COMPONENT SERIAL NO. _____

Expenditures/Revenues (Thousands of Dollars)

OPERATING EXPENDITURES	FY 96	FY 97	FY 98	FY 99	FY 00	FY 01
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0

CAPITAL EXPENDITURES						
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CHANGE IN REVENUES ()						
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FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1006 GF/MHTIA						
Other						
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY95) cost: \$ _____

POSITIONS

FULL-TIME						
PART-TIME						
TEMPORARY						

ANALYSIS: (Attach a separate page if necessary)

This bill amends AS 11.41.220 (a) by extending it's application to the assault of someone 10 through 15 years old by another, 18 years of age or older. { sub section (3) added} It further provides for an affirmative defense in AS 11.41.220 (d)

The number of individuals sentenced to prison under the changes that would result from this bill is expected to extremely small.

Prepared by: Jerry Shriner
 Division: Comm. Office
 Approved by Commissioner: Margaret M. Paul
 Agency: Department of Corrections

Phone: 465-5582
 Date: 1/20/95
 Date: 1-21-95

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Revision Date: _____ Dept. Affected: Public Safety
 Title: "An Act relating to the assault
of children by adults." Component: Alaska State Troopers
 Sponsor: Representative Bunde Component: Detachments
 Requestor: (H) State Affairs COMPONENT SERIAL NO. 0799

EXPENDITURES/REVENUES: (Thousands of Dollars) (inflation not included)

OPERATING	FY 96	FY 97	FY 98	FY 99	FY 00	FY 01
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	-0-	-0-	-0-	-0-	-0-	-0-
CAPITAL EXPENDITURES	-0-	-0-	-0-	-0-	-0-	-0-
CHANGE IN REVENUES () Revenue Code	-0-	-0-	-0-	-0-	-0-	-0-

FUNDING: (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1006 GF/MHTIA						
Other						
TOTAL	-0-	-0-	-0-	-0-	-0-	-0-

Estimate of current year (FY 95) impact: \$ -0-

POSITIONS:

FULL-TIME	0	0	0	0	0	0
PART-TIME	0	0	0	0	0	0
TEMPORARY	0	0	0	0	0	0

ANALYSIS: (Attach a separate page if necessary.)
 No significant impact on the Alaska State Troopers is anticipated

Prepared By: Francis C. Allan Phone: 269-5691
 Division: Alaska State Troopers Date: 01/26/95
 Approved by Commissioner: *Ronald L. Orte* Date: 1/30/95
 Agency: Ronald L. Orte, Dept. of Public Safety

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FISCAL NOTE

No. 3

STATE OF ALASKA
1995 LEGISLATIVE SESSION

Bill Version: HB 74
(H) Publish Date: 2/10/95

Revision Date: _____ Dept. Affected: Department of Law
 Title: *An Act relating to the assault of children by BRU: Prosecution
adults.* Component: All
 Sponsor: Representative Bunde
 Requester: Representative Bunde COMPONENT SERIAL NO. 0085-0090

Expenditures/Revenues (Thousands of Dollars)

OPERATING EXPENDITURES	FY 96	FY 97	FY 98	FY 99	FY 00	FY 01
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0

CAPITAL EXPENDITURES						
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CHANGE IN REVENUES ()						
------------------------	--	--	--	--	--	--

FUND SOURCE (Thousands of Dollars)

FUND SOURCE	FY 96	FY 97	FY 98	FY 99	FY 00	FY 01
1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1006 GF/MHTIA						
Other						
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY95) cost: \$ 0.0

POSITIONS

POSITIONS	FY 96	FY 97	FY 98	FY 99	FY 00	FY 01
FULL-TIME	0.0	0.0	0.0	0.0	0.0	0.0
PART-TIME						
TEMPORARY						

ANALYSIS: (Attach a separate page if necessary)

This bill amends AS 11.41.220(a) to provide that a person commits the crime of assault in the third degree if the person, while being 18 years of age or older, causes physical injury to a child under 16 years of age but at least 10 years of age and the injury reasonably requires medical treatment. Assault in the third degree is a class C felony. It would be an affirmative defense that, at the time of the alleged offense, the defendant reasonably believed the victim to be 16 years of age or older, unless the victim was under 13 years of age at the time of the alleged offense. Currently, such behavior would be chargeable as assault in the fourth degree, a class A misdemeanor. Although there will be some impact, it should not be significant because prosecutors would use their discretion sparingly by bringing felony charges in those egregious cases that warrant tougher punishment.

Prepared by: Richard I. Peques, Director Phone: 465-3672
 Division: Administrative Services Division Date: 1/23/95
 Approved by Commissioner: Bruce M. Botelho/Attorney General Date: 1/23/95
 Agency: Department of Law

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COMMITTEE COPY

SENATE COMMITTEE REPORT

DATE: 3/30/95

FURTHER: Finance

DATE TURNED INTO OFFICE: 4-29-95

Judiciary Committee considered CS FOR HOUSE BILL NO. 74(FIN)

"An Act relating to the assault of children by adults."

and recommends:

- be replaced with _____ CS _____ (_____)
- adopt previous _____ CS _____ (_____)
- attached amendment(s)
- adopt Letter of Intent by _____ Committee
- further referral to the _____ Committee

Senate Bill:

same title
 new title

House Bill:

same title
 technical change
 new: SCR# _____

SIGNING DO PASS	DP	OTHER RECOMMENDATIONS	NR	DNP	AM
Mike Miller	✓				
Lynda Green	✓				
CHAIR <u>Adrian I. Taylor</u>					

NEW FISCAL NOTE(S):

Department Date Zero Fiscal

Department	Date	Zero	Fiscal

PREVIOUS FISCAL NOTE(S):*

Department Date Zero Fiscal

Department	Date	Zero	Fiscal
Law (H)	1/23/95	✓	
Public Safety (H)	1/30/95	✓	
Corrections (H)	1/21/95	✓	

APPROPRIATION -- no fiscal note

*include fiscal notes accompanying Governor's bill

SENATE COMMITTEE REPORT

DATE: 3/7/95

FURTHER: Judiciary
Finance

DATE TURNED INTO OFFICE: 3/29/95

State Affairs Committee considered CSHB 74(FIN)

"~~An Act~~ relating to the assault of children by adults."

PH & FIN'S

and recommends:

- be replaced with _____ CS _____
- adopt previous _____ CS _____
- attached amendment(s)
- adopt Letter of Intent by _____ Committee
- further referral to the _____ Committee

Senate Bill:

- same title
- new title
- House Bill:
- same title
- technical change
- new: SCR# _____

SIGNING/DO PASS	DP	OTHER RECOMMENDATIONS	NR	DNP	AM
<i>Don A. Hume</i>	✓	<i>REFER TO</i>	✓		
<i>David Donley</i>	✓				
CHAIR: <i>Don A. Hume</i>	✓				

NEW FISCAL NOTE(S):

Department Date Zero Fiscal

PREVIOUS FISCAL NOTE(S):*

Department Date Zero Fiscal

LAW (H)	1/23	✓	
PUBLIC SAFETY (H)	1/30	✓	
CORRECTIONS (H)	1/21	✓	

APPROPRIATION -- no fiscal note

*include fiscal notes accompanying Governor's bill