

HB

317

FISCAL NOTE

STATE OF ALASKA
2002 LEGISLATIVE SESSION

Fiscal Note Number: 5
Bill Version: CSHB 317(FIN)
(H) Publish Date: 4/17/02

Revision Date/Time (Note if correction): _____ Dept. Affected: DPS
Title An Act relating to stalking . . . BRU Statewide Support
Sponsor Representative Crawford Component APSIN
Requester House Finance Component No. 528

Expenditures/Revenues (Thousands of Dollars)

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

OPERATING EXPENDITURES	FY 2003	FY 2004	FY 2005	FY 2006	FY 2007	FY 2008
Personal Services						
Travel						
Contractual	0.0	0.0	0.0	0.0	0.0	0.0
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	0.0	0.0	0.0	0.0	0.0	0.0
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other (Specify Type-Do not abbreviate)						
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY2002) cost: 0.0
Check this box (X) if funding for this bill is included in the Governor's FY 2003 budget proposal:

POSITIONS

Full-time						
Part-time						
Temporary						

ANALYSIS: (Attach a separate page if necessary)

This bill will have no fiscal impact on the department.

Prepared by: Diane Schenker, Administrative Manager, CJIS Phone (907) 269-5092
Division Administrative Services Date/Time 4/15/02 2:26 PM
Approved by: Commissioner Glenn Godfroy Date 4/15/2002
Agency Department of Public Safety

FISCAL NOTE

STATE OF ALASKA
2002 LEGISLATIVE SESSION

Fiscal Note Number: 3
 Bill Version: CSHB 317(JUD)
 (H) Publish Date: 4/9/02

Revision Date/Time (Note if correction): _____ Dept. Affected: Administration
 Title "An Act relating to stalking..." BRU Legal and Advocacy Services
 Component Public Defender Agency
 Sponsor Rep. Crawford
 Requester (H) JUD Component No. 1631

Expenditures/Revenues (Thousands of Dollars)

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

OPERATING EXPENDITURES	FY 2003	FY 2004	FY 2005	FY 2006	FY 2007	FY 2008
Personal Services
Travel						
Contractual						
Supplies						
Equipment						
Land & Structures						
Grants & Claims						
Miscellaneous						
TOTAL OPERATING

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						
1037 GF/Mental Health						
Other (Specify Type--Do not abbreviate)						
TOTAL

Estimate of any current year (FY2002) cost: 0.0
 Check this box (X) if funding for this bill is included in the Governor's FY 2003 budget proposal:

POSITIONS

Full-time						
Part-time						
Temporary						

ANALYSIS: *(Attach a separate page if necessary)*
 See attached.

Prepared by: Barbara Brink, Director Phone (907) 334-4416
 Division Public Defender Agency Date/Time 3/6/02 11:18 AM
 Approved by: Jim Duncan, Commissioner Date 3/6/2002
 Agency Department of Administration

FISCAL NOTE

STATE OF ALASKA
2002 LEGISLATIVE SESSION

Fiscal Note Number: 2
Bill Version: CSHB 317(JUD)
(H) Publish Date: 4/9/02

Revision Date/Time (Note if correction): _____ Dept. Affected: Corrections
Title An Act relating to stalking and amendi BRU Administration and Operations
Rule 4, Alaska Rules of Civil Procedure..... Component All
Sponsor Representative Crawford
Requester House Judiciary Component No. 64

Expenditures/Revenues (Thousands of Dollars)

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

OPERATING EXPENDITURES	FY 2003	FY 2004	FY 2005	FY 2006	FY 2007	FY 2008
Personal Services						
Travel						
Contractual						
Supplies						
Equipment						
Land & Structures						
Grants & Claims						
Miscellaneous						
TOTAL OPERATING	***	***	***	***	***	***

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						
1037 GF/Mental Health						
Other (Specify Type--Do not abbreviate)						
TOTAL	***	***	***	***	***	***

Estimate of any current year (FY2002) cost: 0.0

Check this box (X) if funding for this bill is included in the Governor's FY 2003 budget proposal:

POSITIONS

Full-time						
Part-time						
Temporary						

ANALYSIS: (Attach a separate page if necessary)

This legislation creates a new provision to include protective orders related to non-domestic violence stalking. In addition, it includes a violation of this protective order to AS 11.56.740(a). That creates a new provision to the crime of "violating a protective order".

It is expected that there will be relatively few stalking protective orders. In order to obtain a stalking protective order, the victim essentially has to prove that the stalking occurred, and then the stalker can be arrested which will probably be the preferred response. We do not currently have the availability of the protective orders so we do not know how many will be issued, and then subsequently violated, therefore, we are submitting an indeterminate fiscal note.

Prepared by: Candace Brower
Division: Commissioner's Office
Approved by: Margaret Pugh, Commissioner
Agency: Department of Corrections.

Phone 465-4652
Date/Time 3/5/02 2:33 PM
Date 3/5/02

FISCAL NOTE

STATE OF ALASKA
2002 LEGISLATIVE SESSION

Fiscal Note Number: 1
Bill Version: CSHB 317(JUD)
(H) Publish Date: 4/9/02

Revision Date/Time (Note if correction): _____ Dept. Affected: Law
Title: "An Act relating to stalking and amending Rules
4, Alaska Rules of Civil Procedure, and Rule 9 . . ." BRU: Criminal Division
Sponsor: Representative Crawford Component: 1st-4th Judicial Districts; Criminal
Requester: House Judiciary Committee Component No.: 2198-99:2201/03/61/79
Appeals/Special Litigation

Expenditures/Revenues (Thousands of Dollars)

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

OPERATING EXPENDITURES	FY 2003	FY 2004	FY 2005	FY 2006	FY 2007	FY 2008
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)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other (Specify Type--Do not abbreviate)						
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY2002) cost: 0.0

Check this box (X) if funding for this bill is included in the Governor's FY 2003 budget proposal:

POSITIONS

Full-time						
Part-time						
Temporary						

ANALYSIS: (Attach a separate page if necessary)

HB 317 would allow a person who believes they are a stalking victim to petition the court to grant a protective order to keep the alleged stalker away from them.

While passage of this bill will create new prosecutions, the Department of Law does not anticipate a significant fiscal impact.

Prepared by: Joan M. Kasson
Division: Attorney General's Office
Approved by: Kathryn Daughhete for Bruce M. Botelho, Attorney General
Agency: Department of Law

Phone: (907) 465-5370
Date/Time: 3/1/02 1:18 PM
Date: 3/1/2002

Alaska State Legislature
House of Representatives

Alaska State Capitol
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Representative Harry Crawford
District 22

Memorandum

To: Senator Robin Taylor, Senate Judiciary Chairman

From: Representative Harry Crawford

Date: April 22, 2002

RE: HB 317, Stalking Protective Orders

I respectfully request that this bill be scheduled for a hearing in your committee. All the pertinent backup materials requested are attached.

A handwritten signature in cursive script, appearing to read "Harry", written in black ink.

E-mail: Representative_Harry_Crawford@legis.state.ak.us

**REQUEST FOR
HEARING**

Alaska State Legislature
House of Representatives

Alaska State Capitol
Juneau, Alaska 99801-1182
1-907-465-3438 (phone)
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Representative Harry Crawford
District 22

**REPRESENTATIVE HARRY CRAWFORD
SPONSOR STATEMENT FOR HB 317**

HB 317 closes a dangerous loophole in the Alaska statutes, by allowing unacquainted victims of stalking to enjoy the security of a judicial protective order. Current law provides protection to those in domestic situations and minor children, but enjoins the victims of strangers from equal protection of the law. HB 317 allows the victims of stalking to seek and obtain a protective order in cases of stalking that are not crimes involving domestic violence. The bill streamlines the process for public safety and judicial practitioners by harmonizing the arrest and notification procedures to mirror those already in place for domestic violence situations. The bill adds the crime of violation of a child protective order and of a violation of a stalking protective order, these changes also reflect existing practitioner procedures.

I urge your support for this necessary change in the law.

LEGAL SERVICES

DIVISION OF LEGAL AND RESEARCH SERVICES
LEGISLATIVE AFFAIRS AGENCY
STATE OF ALASKA

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MEMORANDUM

February 20, 2002

SUBJECT: Sectional Summary (CSHB 317(), "F" Version, Draft,
Dated 2/14/02, Work Order No. 22-LS1258\F)

TO: Representative Harry Crawford
Attn: Dave

FROM: Gerald P. Luckhaupt *JPL*
Legal Counsel

You have requested a sectional summary of the above-described bill. As a preliminary matter, please note that a sectional summary of a bill should not be considered an authoritative interpretation of the bill - the bill itself is the best statement of its contents.

Section 1. Amends AS 04.11.494(e)(1)(B) to provide a conforming change to the change made in sec. 2 of the CS().

Section 2. Amends the existing crime of violating a protective order, AS 11.56.740(a), by adding violations of stalking protective orders, sec. 5 of the CS(), and child protective injunctions under AS 47.17.069 as alternative ways to commit this crime.

Section 3. Amends AS 12.25.030(b) to provide a conforming change to the change made in sec. 2 of the CS().

Section 4. Amends AS 18.65.530(a) to provide a conforming change to the change made in sec. 2 of the CS().

Section 5. Amends AS 18.65 by adding new sections that provide for the issuance of protective orders in cases of stalking, that are not crimes involving domestic violence.

Section 6. Amends AS 18.66.990(3) to provide a conforming change to the change made in sec. 2 of the CS().

Section 7. Provides notice that sec. 5 includes an indirect amendment to a court rule.

GPL:lmb
02-029.lmb

Sectional Analysis