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FISCAL NOTE

STATE OF ALASKA
2001 LEGISLATIVE SESSION

Fiscal Note Number: _____
 Bill Version: SB 85
 () Publish Date: _____

Revision Date/Time (Note if correction): _____ Dept. Affected: Law
 Title "An Act relating to failure to report a crime." BRU Criminal Division; Civil Division
 Component 1st, 2nd, 3rd Judicial Districts;
Human Services
 Sponsor Senator Cowdery
 Requester Senate Judiciary Committee Component No. 2198-99;2279;08

Expenditures/Revenues (Thousands of Dollars)

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

| OPERATING EXPENDITURES | FY 2002 | FY 2003 | FY 2004 | FY 2005 | FY 2006 | FY 2007 |
|------------------------|------------|------------|------------|------------|------------|------------|
| 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 2002 | FY 2003 | FY 2004 | FY 2005 | FY 2006 | FY 2007 |
|--------------------------|------------|------------|------------|------------|------------|------------|
| 1002 Federal Receipts | | | | | | |
| 1003 GF Match | | | | | | |
| 1004 GF | | | | | | |
| 1005 GF/Program Receipts | | | | | | |
| 1037 GF/Mental Health | | | | | | |
| Other (Specify Type) | | | | | | |
| TOTAL | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 |

Estimate of any current year (FY2001) cost: 0.0

Check this box (X) if funding for this bill is included in the Governor's FY 2002 budget proposal:

POSITIONS

| POSITIONS | FY 2002 | FY 2003 | FY 2004 | FY 2005 | FY 2006 | FY 2007 |
|-----------|---------|---------|---------|---------|---------|---------|
| Full-time | | | | | | |
| Part-time | | | | | | |
| Temporary | | | | | | |

ANALYSIS: (Attach a separate page if necessary)
 SB 85 creates a new class C felony crime for failure to report a violent crime under certain circumstances.

The Department of Law anticipates that passage of this legislation could make some trials more difficult to prosecute because critical witnesses will claim privilege against incrimination if they did not previously report the crime. The actual number of new cases that might result from this bill, however, is anticipated to be small, and the department anticipates no fiscal impact.

Prepared by: Joan M. Kasson Phone 465-5370
 Division: Attorney General's Office Date/Time 3/20/01 10:48 AM
 Approved by: Kathryn Daughettee for Bruce M. Eotelho, Attorney General Date 3/20/01
 Agency: Department of Law

FISCAL NOTE

STATE OF ALASKA
2001 LEGISLATIVE SESSION

Fiscal Note Number: _____
 Bill Version: SB 85
 () Publish Date: _____

Revision Date/Time (Note if correction): _____ Dept. Affected: Administration
 Title: "An act relating to failure to report
a violent crime..." BRU: Legal & Advocacy Services
 Component: Public Defender Agency
 Sponsor: Senator Cowdery
 Requester: (S) Judiciary Component Number: 1631

Expenditures/Revenues (Thousands of Dollars)

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

| OPERATING EXPENDITURES | FY 2002 | FY 2003 | FY 2004 | FY 2005 | FY 2006 | FY 2007 |
|------------------------|---------|---------|---------|---------|---------|---------|
| Personal Services | | | | | | |
| Travel | | | | | | |
| Contractual | | | | | | |
| Supplies | | | | | | |
| Equipment | | | | | | |
| Land & Structures | | | | | | |
| Grants & Claims | | | | | | |
| Miscellaneous | | | | | | |
| TOTAL OPERATING | * | * | * | * | * | * |

| | | | | | | |
|-----------------------------|--|--|--|--|--|--|
| 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) | | | | | | |
| TOTAL | * | * | * | * | * | * |

Estimate of any current year (FY2001) cost: 0.0

Check this box (X) if funding for this bill is included in the Governor's FY 2002 budget proposal:

POSITIONS

| | | | | | | |
|-----------|--|--|--|--|--|--|
| Full-time | | | | | | |
| Part-time | | | | | | |
| Temporary | | | | | | |

ANALYSIS: (Attach a separate page if necessary)

See Page 2 for Analysis.

Prepared by: Barbara Brink, Director Phone 334-4400
 Division: Public Defender Agency Date/Time 03/16/01
 Approved by: Jim Duncan, Commissioner Date 3/16/01
 Agency: Department of Administration

For distribution information, call the Governor's Legislative Office

SB 85 – Fiscal Note Narrative

This bill would make it a crime to fail to report an actual or attempted murder, kidnapping, sexual assault, assault causing serious physical injury, or robbery. Under the bill, a person would have to be informed by another that the other person committed the crime or have witnessed the crime. There are affirmative defenses, including a defense that allows someone not to report the crime if there is a substantial risk of physical injury.

The Public Defender Agency will have some fiscal impact if this bill is passed. Public Defender attorneys would undoubtedly be appointed by the courts to represent people accused of this crime. In some of these cases, there may be complex challenges based on the constitutional rights of privacy and protection against self-incrimination.

However, it is impossible to predict how many cases will be prosecuted. Therefore, an indeterminate fiscal note is being submitted.