

HB

400



HOUSE JUDICIARY COMMITTEE

STATE CAPITOL, ROOM 120
(907) 465-4990

COMMITTEE MEMBERS

Rep. Jay Ramras
Chairman
Room 118
(907) 465-3004

Rep. Nancy Dahlstrom
Vice-Chairman
Room 409
(907) 465-3783

Rep. John Coghil
Room 214
(907) 465-3719

Rep. Bob Lynn
Room 104
(907) 465-4931

Rep. Ralph Samuels
Room 204
(907) 465-2095

Rep. Max Gruenberg
Room 110
(907) 465-4940

Rep. Lindsey Holmes
Room 405
(907) 465-4919

MEMORANDUM

Date: March 12, 2008

To: Representative Kevin Meyer
Co-Chair House Finance Committee

From: Representative Jay Ramras
Chair House Judiciary Committee

Re: Referral file for HB 400 - MITIGATING FACTOR: CARE FOR
DRUG OVERDOSE

Attached please find the following documents, which represent the referral file for HB 400:

- Sponsor Statement
- HB400 25-LS1518(C)
- Fiscal Note
 - LAW - 0
- HJUD Report



Representative Beth Kerttula

House Minority Leader

House Bill 400

Mitigating Factor: Care for Drug Overdose

Sponsor Statement

Substance abuse is a prevalent problem in Alaska, where we have higher rates of use of controlled substances and deaths from overdoses than the national average.

Approximately 85 people die each year from drug overdoses in Alaska. Many times deaths from drug overdoses may be preventable by a single 911 call that is not made because the people who are witnessing the overdose are afraid of being arrested themselves.

House Bill 400 addresses this problem by allowing a mitigating factor in sentencing for crimes involving controlled substances if the defendant sought medical assistance for another person who is experiencing a drug overdose.

FISCAL NOTE

STATE OF ALASKA
2008 LEGISLATIVE SESSION

Fiscal Note Number: HB400-LAW-CRIM-02-22-08
 Bill Version: HB400
 () Publish Date: _____

Identifier (file name): _____ Dept. Affected: LAW
 Title: An Act relating to obtaining medical assistance for a drug overdose RDU: Criminal
 Component: Criminal Justice Litigation
 Sponsor: REPRESENTATIVE(S) KERTTULA
 Requester: HOUSE JUDICIARY Component Number: _____

Expenditures/Revenues (Thousands of Dollars)

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

	Appropriation Required	Information						
		FY 2009	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	FY 2014
OPERATING EXPENDITURES								
Personal Services	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Travel								
Contractual								
Supplies								
Equipment								
Land & Structures								
Grants & Claims								
Miscellaneous								
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0

CAPITAL EXPENDITURES								
-----------------------------	--	--	--	--	--	--	--	--

CHANGE IN REVENUES ()								
-------------------------------	--	--	--	--	--	--	--	--

	FUND SOURCE (Thousands of Dollars)						
	FY 2009	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	FY 2014
1002 Federal Receipts							
1003 GF Match							
1004 GF	0.0	0.0	0.0	0.0	0.0	0.0	0.0
1005 GF/Program Receipts							
1037 GF/Mental Health							
Other Interagency Receipts							
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY 08) cost: 0.0

POSITIONS

Full-time							
Part-time							
Temporary							

ANALYSIS: (Attach a separate page if necessary)
 HB 400 would add a mitigating factor to our sentencing law. It would allow the court to consider, for a person convicted of a drug offense, the mitigating factor that the person sought medical assistance for another person (who was overdosing on drugs) at the same time the crime was committed. The department does not expect a significant fiscal impact as a result of this bill.

Prepared by: Robert Meiners, Administrative Services Manager Phone: 907-465-5427
 Division: Administrative Services Division Date/Time: 2/22/08 7:57 AM
 Approved by: Talis Colberg, Attorney General Date: 2/22/2008
Department of Law

