

Department of Planning and Budget

2003 Fiscal Impact Statement

1. Bill Number: SB1071

House of Origin ☐ Introduced ☐ Substitute ☐ Engrossed
Second House ☐ In Committee ☐ Substitute ☒ Enrolled

2. Patron: Rerras

3. Committee: Passed both houses

4. Title: Sale of drug son or near certain property

5. Summary/Purpose:

Currently, it is a separate and distinct offense to sell or possess with the intent to sell a controlled substance or marijuana on or near school properties, recreation centers, public libraries, or state hospitals. The penalty for a first offense is a prison sentence of one to five years. For a second or subsequent offense, the penalty is a mandatory, minimum sentence of one year in prison. The proposed legislation would extend the prohibition to include possession of the substances on or near the properties with the intent to sell or distribute them, regardless of where the offender intended to actually sell or distribute them.

6. Fiscal Impact: Final. See Item No. 8.

7. Budget amendment necessary: None.

8. Fiscal implications:

The proposal may have an impact on state or local law-enforcement responsible bed space. However, due to the lack of data, the Virginia Criminal Sentencing Commission has determined, pursuant to §30-19.1:4 of the Code of Virginia, that the impact of the proposed legislation on state law-enforcement responsible (prison) bed space cannot be determined.

9. Specific agency or political subdivisions affected: Department of Corrections

10. Technical amendment necessary: None.

11. Other comments:

The provisions of this bill are the same as those provided in HB2615. However, the wording and placement of the new language in the existing Code section are slightly different in the two bills.

Date: 03/05/03/rwh

Document: G:\LEGIS\Fis-03\Sb1071er.Doc Dick Hall - Sizemore
cc: Secretary of Public Safety