

# Department of Planning and Budget

## 2003 Fiscal Impact Statement

**1. Bill Number** SB1258

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

**2. Patron**    Norment

**3. Committee**    Passed Both Houses

**4. Title**    Fees for driving under the influence conviction.

**5. Summary/Purpose:** This legislation amends and reenacts §§ 17.1-275.5, 18.2-268.8, and 46.2-341.26:8 of the Code of Virginia by adding a fee of \$100 for anyone convicted of driving under the influence when a breath or blood sample is taken.

**6. Fiscal Impact:** Final; See Item #8.

**6b. Revenue Impact:**

<i>Fiscal Year</i>	<i>Dollars</i>	<i>Positions</i>	<i>Fund</i>
2002-03			
2003-04	\$2.0 million		GF
2004-05	\$2.0 million		GF

**7. Budget amendment necessary:** No.

**8. Fiscal implications:** The Commonwealth averages approximately 28,000 DUI convictions each year. If the \$100 is added it should generate approximately \$2.8 million each year assuming that all convicted persons actually pay the fee. It is not certain though how many individuals are subject to breath or blood samples. Given this and the difficulty in collecting all fees, it is difficult to estimate the exact amount of revenues that will be collected. However, assuming that 20 percent of the convictions would not be subject to breath or blood samples and that 10 percent of the fees would remain uncollected, this legislation would provide approximately \$2.0 million in annual revenues.

**9. Specific agency or political subdivisions affected:** Courts

**10. Technical amendment necessary:** No.

**11. Other comments:** This bill is similar to HB 2764 and a \$100 fee was included in language in HB 1400. The budget assumed \$2.5 million in revenues. HB 2764 stipulates the fee will be paid regardless of whether a breath or blood sample is taken whereas SB 1258 requires the fee when a breath or blood sample is taken.

**Date:** 03/04/03/MEM

**Document:** G:\FIS\03\DCJS\SB1258ER.Doc MichaelMcMahon

cc:SecretaryofPublicSafety