

**Department of Planning and Budget
2004 Fiscal Impact Statement**

1. Bill Number HB614

House of Origin	<input checked="" type="checkbox"/> Introduced	<input type="checkbox"/> Substitute	<input type="checkbox"/> Engrossed
Second House	<input type="checkbox"/> In Committee	<input type="checkbox"/> Substitute	<input type="checkbox"/> Enrolled

2. Patron Carrico

3. Committee House Courts of Justice

4. Title Driving motor vehicle after ingesting illegal Schedule I or Schedule II drug

5. Summary/Purpose:

Makes driving after ingesting any amount of illegally possessed Schedule I and Schedule II drugs a violation of the DUI statute and a Class I misdemeanor (jail time up to 12 months and a maximum fine of \$2,500). In addition persons convicted of this offense forfeit their operators license for a period up to 12 months and be eligible for Virginia Alcohol Safety Action Programs.

6. Fiscal Impact Estimates are: Final

7. Budget amendment necessary: No

8. Fiscal implications: Anyone convicted of a Class 1 misdemeanor is subject to a sentence of up to 12 months in jail and/or a maximum fine of \$2,500. There is not enough information available to reliably estimate how many additional inmates in jail could result from this proposal.

Any increase in jail population will increase costs to the state. The Commonwealth pays the localities \$8.00 a day for each misdemeanant or otherwise local responsible prisoner held in a jail. It also funds most of the jails' operating costs, e.g. correctional officers. The state's share of these costs on a per prisoner, per day basis varies from locality to locality. However, according to the Compensation Board, the estimated total state support for local jails averaged \$29.80 per inmate, per day in FY 2002.

9. Specific agency or political subdivisions affected: Virginia Alcohol Safety Action program, local and regional jails, Compensation Board, Department of Motor Vehicles.

10. Technical amendment necessary: No

11. Other comments: None

Date: 01/22/04 / jwr

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cc: Secretary of Transportation