

Department of Planning and Budget
2005 Fiscal Impact Statement

1. Bill Number HB1896

House of Origin ☐ Introduced ☐ Substitute ☐ Engrossed

Second House ☐ In Committee ☐ Substitute ☒ Enrolled

2. Patron Carrico

3. Committee Passed Both Houses

4. Title Driving motor vehicle after ingesting illegal Schedule I or Schedule II drugs; penalty.

5. Summary/Purpose: Makes it a violation of the DUI statute to drive with specified levels of the following illegal drugs in one's blood: cocaine, methamphetamine, phencyclidine (PCP) and methylenedioxymethamphetamine (MDMA ecstasy).

6. Fiscal Impact Estimates are: FINAL; See Item 8 below.

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. According to the Virginia Criminal Sentencing Commission, there is not enough information available to reliably estimate how many additional inmates could result from this proposal. However, 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 inmate 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 inmate, per day basis varies from locality to locality. However, according to the Compensation Board's most recent Jail Cost Report (FY 2003), the estimated total state support for local jails averaged \$27.42 per inmate, per day in FY 2003.

9. Specific agency or political subdivisions affected: Local and regional jails, Compensation Board, state and local law enforcement agencies.

10. Technical amendment necessary: No.

11. Other comments: None.

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cc: Secretary of Administration
Secretary of Public Safety