

Department of Planning and Budget 2005 Fiscal Impact Statement

1. Bill Number HB 1974

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

2. Patron Tata

3. Committee Passed both houses

4. Title Methamphetamine precursor chemicals

5. Summary/Purpose:

The enrolled legislation would make it a Class 6 felony to possess any two or more different substances specified in the bill with the intent to manufacture methamphetamine, methcathinone, or amphetamine.

The bill also would require the Department of State Police, Department of Environmental Quality, Department of Health, and the Division of Forensic Science to establish a work group to develop a best-practices protocol for use by law-enforcement and emergency response agencies regarding the clean-up of abandoned and deactivated methamphetamine labs.

6. Fiscal Impact: Final. See Item 8.

7. Budget amendment necessary: None.

8. Fiscal implications:

For someone convicted of a Class 6 felony, a judge has the option of sentencing him to up to one year in jail, or 1 to 5 years in prison. Therefore, this legislation could result in an increase in the number of persons sentenced to jail or prison.

There is not enough information available to reliably estimate how many additional inmates in jail could result from this legislation. Any increase in jail population will increase costs to the state. The Commonwealth pays the localities \$8.00 a day for each misdemeanor or otherwise local responsible prisoner held in a jail, \$8.00 a day for each state responsible inmate held for sixty days or less, and \$14.00 a day for each state responsible inmate held for more than sixty days. 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'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.

The Virginia Criminal Sentencing Commission was unable to determine the impact of this legislation on state-responsible (prison) bed space pursuant to §30-19.1:4 of the Code of Virginia because the proposal would criminalize behavior that is not currently defined as a criminal act, and data on such activity does not exist. Consequently, the number of individuals who could be affected by the proposal is unknown.

9. Specific agency or political subdivisions affected:

Department of Corrections
Department of State Police
Department of Environmental Quality
Department of Health
Division of Forensic Sciences

10. Technical amendment necessary: None.

11. Other comments: None.

Date: 03/04/05 / rwh

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