

Department of Planning and Budget 2006 Fiscal Impact Statement

1. Bill Number HB1040

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 Kilgore

3. Committee Passed both houses

4. Title Sale of pseudoephedrine by pharmacist; limits on purchase of pseudoephedrine; penalty.

5. Summary/Purpose:

Pseudoephedrine and ephedrine, and their salts and isomers, are two of the legal ingredients that are commonly used to manufacture methamphetamine, a Schedule II controlled substance. The proposed legislation would place restrictions on how products containing pseudoephedrine and ephedrine could be displayed for sale in pharmacies and how much could be purchased in retail transactions. Violation of the proposed provisions would be a Class 1 misdemeanor.

6. Fiscal Impact Estimates are: Final. See Item 8.

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. 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's most recent Jail Cost Report (FY 2004), the estimated total state support for local jails averaged \$26.03 per inmate, per day in FY 2004.

9. Specific agency or political subdivisions affected:

Compensation Board
Local and regional jails

10. Technical amendment necessary: No.

11. Other comments: None.

Date: 03/28/06 / rwh

Document: G:\LEGIS\Fis-06\HB1040ER.DOC Dick Hall-Sizemore