

## Department of Planning and Budget 2006 Fiscal Impact Statement

**1. Bill Number** HB 41

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

**2. Patron** Albo

**3. Committee** Passed both houses

**4. Title** Driving under influence of alcohol; penalty for subsequent offense.

**5. Summary/Purpose:**

Current law establishes a system of escalated penalties for persons convicted of driving under the influence (DUI) more than once within a ten-year period. The provisions are worded to refer to any offense committed after the “first offense” in the relevant time period. The proposed legislation would substitute the word “prior” for “first” in each such instance.

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

**7. Budget amendment necessary:** None.

**8. Fiscal implications:**

The effect of the proposed legislation would be to close a possible loophole that would arise from a judge interpreting “first offense” as meaning the very first violation of the statute committed by an offender, rather than the first one committed within the relevant ten-year period. It is not expected that the proposed legislation will have any fiscal impact.

**9. Specific agency or political subdivisions affected:** None.

**10. Technical amendment necessary:** None.

**11. Other comments:** None.

**Date:** 03/13/06 / rwh

**Document:** G:\LEGIS\Fis-06\HB41ER.DOC Dick Hall-Sizemore