

Department of Planning and Budget 2006 Fiscal Impact Statement

1. Bill Number SB100-ER

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 Blevins

3. Committee Passed Both Houses

4. Title Alcoholic beverage control; alcohol vaporizing devices prohibited; penalty.

5. Summary/Purpose: Prohibits any person from purchasing, offering for sale, selling or using or offering for use any vaporized form of an alcoholic beverage produced by an alcohol vaporizing device, including licensees of the Alcoholic Beverage Control Board. Any person convicted of a violation of this section shall be guilty of a Class 1 misdemeanor. The bill defines alcohol vaporizing device as any device, machine, or process that mixes any alcoholic beverages with pure oxygen or other gas to produce a vaporized product for the purpose of consumption by inhalation.

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: Local and regional jails, Compensation Board, state and local law enforcement agencies.

10. Technical amendment necessary: No.

11. Other comments: None.

Date: 03/09/06 jgc

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cc: Secretary of Public Safety

Secretary of Administration