

Department of Planning and Budget 2007 Fiscal Impact Statement

1. Bill Number HB3023

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

2. Patron Fralin

3. Committee Courts of Justice

4. Title Use of synthetic urine to defeat a drug or alcohol test

5. Summary/Purpose: Provides that an attempt to defeat a drug or alcohol screening test by the substitution of an actual urine sample with synthetic urine is a Class 1 misdemeanor. The bill also provides that the Commissioner of the Department of Motor Vehicles shall disqualify for a period of one year any commercial driver's license holder who has been convicted of a violation of § 18.2-251.4 and that the Commissioner shall disqualify for life any such person who has been convicted of two or more violations of § 18.2-251.4.

6. Fiscal Impact Estimates are: PRELIMINARY; 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. Therefore, this proposal could result in an increase in the number of persons sentenced to 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 2005), the estimated total state support for local jails averaged \$28.35 per inmate, per day in FY 2005.

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: 01/15/07 / ltc

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cc: Secretary of Public Safety
Secretary of Administration