

## Department of Planning and Budget 2012 Fiscal Impact Statement

**1. Bill Number: HB 968**

House of Origin ☐ Introduced ☐ Substitute ☐ Engrossed  
Second House ☐ In Committee ☒ Substitute ☐ Enrolled

**2. Patron: Bell**

**3. Committee: Senate Finance**

**4. Title: Repeat drug dealers**

**5. Summary:**

Under current law, a person convicted a second time of the manufacture or distribution of a Schedule I or II drug is subject to a sentence of five years to life imprisonment. A third conviction is subject to a sentence of five years to life imprisonment also, but with a five-year mandatory minimum sentence.

The proposed legislation would establish a three-year mandatory minimum sentence for a second conviction of the manufacture or distribution of a Schedule I or II drug and a ten-year mandatory minimum sentence for a third conviction.

**6. Budget Amendment Necessary:** No. The introduced budget includes an appropriation for the fiscal impact of this legislation. Both the Senate and House money committees left sufficient funding in their respective adopted budget bills for the fiscal impact of this bill.

**7. Fiscal Impact Estimates:** Preliminary. See Item 8.

**Expenditure Impact:**

<i>Fiscal Year</i>	<i>Dollars</i>	<i>Fund</i>
2013	\$5,512,531	General
2014	\$0	General
2015	\$0	General
2016	\$0	General
2017	\$0	General
2018	\$0	General

**8. Fiscal Implications:**

By establishing a new mandatory minimum sentence and increasing an existing one, the proposed legislation could result in additional persons being housed in state prisons.

Pursuant to §30-19.1:4 of the Code of Virginia, the Virginia Criminal Sentencing Commission estimates a fiscal impact of \$5,512,531 (the highest annual cost over the next six years). The amount is based on the projection that the legislation will result in 199 additional inmates being incarcerated in prison.

**9. Specific Agency or Political Subdivisions Affected:** Department of Corrections

**10. Technical Amendment Necessary:** None.

**11. Other Comments:** Similar to SB 159.

**Date:** 2/24/2012

**Document:** G:\LEGIS\fis-12\hb968s1.doc Dick Hall-Sizemore