

Department of Planning and Budget 2012 Fiscal Impact Statement

1. Bill Number: SB 159

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

2. Patron: Obenshain

3. Committee: Appropriations

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, with a five-year mandatory minimum sentence.

The proposed legislation would establish a five-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 House and Senate money committees left sufficient appropriation in the budget bills adopted by them for their houses' respective versions of this legislation.

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

Expenditure Impact:

<i>Fiscal Year</i>	<i>Dollars</i>	<i>Fund</i>
2013	\$11,726,915	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 \$11, 726,915 (the highest annual cost over the next six years). The amount is based on the projection that the legislation will result in 433 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 HB 968.

Date: 2/24/2012

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