

Department of Planning and Budget 2014 Fiscal Impact Statement

1. Bill Number: HB 1112

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

2. Patron: Garrett

3. Committee: Education and Health

4. Title: Cannabimimetic agents

5. Summary:

Dried herbs sprayed with one or more numerous chemical compounds commonly referred to as synthetic cannabinoids, when smoked, create a high similar to marijuana. However, synthetic cannabinoids, also known as synthetic marijuana, K2, spice, or Mr. Smiley, can have numerous side effects that are not traditionally associated with marijuana, including rapid heart rate and seizures. The proposed legislation would substitute the term “cannabimimetic agents” in place of “synthetic cannabinoids” throughout the Code of Virginia.

Currently, most of the criminal penalties associated with possession and distribution of synthetic cannabinoids parallel the penalties established for offenses involving marijuana. The proposed legislation would change selling or distributing synthetic cannabinoids (to be referred to as cannabimimetic agents) from a Class 6 felony to a Class 5 felony.

Furthermore, the proposed legislation would authorize the Board of Pharmacy to add a substance into the list of controlled substances found in Schedule I or II or to the list of cannabimimetic agents via an expedited regulatory process. A substance added via this process would be removed from such list after 18 months unless a general law were enacted adding the substance to such list.

Finally, the proposed legislation would add five new compounds to the list of cannabimimetic agents and one new research chemical to Schedule I.

6. Budget Amendment Necessary: No. The introduced budget bill includes appropriation for the fiscal impact of this legislation.

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

Expenditure Impact:

<i>Fiscal Year</i>	<i>Dollars</i>	<i>Fund</i>
2015	\$11,933	General
2016	\$0	
2017	\$0	
2018	\$0	
2019	\$0	
2020	\$0	

8. Fiscal Implications:

The proposed legislation would increase the penalty for distribution of cannabimimetic agents (synthetic cannabinoids) from a Class 6 felony to a Class 5 felony. For someone convicted of a Class 6 felony, a judge has the option of sentencing him to up to one year in jail, or 1 to 5 years in prison. For a Class 5 felony, the possible sentence is up to one year in jail, or 1 to 10 years in prison. In addition, the legislation expands the list of substances classified as cannabimimetic agents and the list of Schedule I controlled substances.

Pursuant to §30-19.1:4 of the Code of Virginia, the Virginia Criminal Sentencing Commission estimates a fiscal impact of \$11,933 (the highest annual cost over the next six years). The amount is based on the projection that the legislation will result in less than one additional prison bed being needed.

9. Specific Agency or Political Subdivisions Affected:

Department of Corrections
Board of Pharmacy

10. Technical Amendment Necessary: None.

11. Other Comments: None.

Date: 2/14/2014

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