

Department of Planning and Budget 2015 Fiscal Impact Statement

1. Bill Number: HB 1839

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: Robinson

3. Committee: Passed Both Houses.

4. Title: Scheduling of certain controlled substances.

5. Summary: Scheduling of certain controlled substances. Removes hydrocodone combination products from Schedule III and classifies alfaxalone, suvorexant, and tramadol as Schedule IV controlled substances.

6. Budget Amendment Necessary: No.

7. Fiscal Impact Estimates: FINAL, see item 8.

8. Fiscal Implications: While the removal of hydrocodone combination products from Schedule III may yield a savings due to fewer or reduced prison sentences, the addition of alfaxalone, suvorexant, and tramadol as Schedule IV controlled substances will add cost due to increases in sentence. There is not enough information available to reliably estimate how many additional inmates in jail could result from this proposal. Ultimately, the presiding judge will decide if there is to be any time served in jail; however, any increase in jail population will increase costs to the state.

The Commonwealth presently pays the localities \$4.00 a day for each misdemeanor or otherwise local responsible prisoner held in a jail and \$12.00 a day for each state responsible inmate. It also funds a considerable portion 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 (November 2014), the estimated total state support for local jails averaged \$30.54 per inmate, per day in FY 2013.

Due to the lack of data, the Virginia Criminal Sentencing Commission has concluded that the impact of the proposed legislation on state-responsible (prison) bed space cannot be determined. In such cases, Chapter 3 of the 2014 Acts of Assembly, Special Session I, requires that a minimum impact of \$50,000 be assigned to the bill.

9. Specific Agency or Political Subdivisions Affected: Department of Health Professions.

10. Technical Amendment Necessary: No.

11. Other Comments: None.