

## Department of Planning and Budget 2015 Fiscal Impact Statement

**1. Bill Number:** SB1034-ER

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

**2. Patron:** Puller

**3. Committee:** Passed Both Houses

**4. Title:** Alcoholic beverage control; powdered or crystalline alcohol; penalty.

**5. Summary:** Adds powdered or crystalline alcohol to the definition of alcoholic beverages, prohibits containers sold in or shipped into the Commonwealth from including powdered or crystalline alcohol, and creates a Class 1 misdemeanor for anyone who purchases, offers for sale or use, or sells or uses a powdered or crystalline alcoholic product.

**6. Budget Amendment Necessary:** No.

**7. Fiscal Impact Estimates:** Final.

**8. Fiscal Implications:** Although insufficient data exists to determine the fiscal impact due to this bill, the legislation could result in an increase in the jail population since Class 1 misdemeanor outcomes result in sentences of up to 12 months in jail (and a fine up to \$2,500). 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 misdemeanant or otherwise local responsible prisoner held in a jail. It also funds a significant 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 FY2013 Jail Cost Report (November 1, 2014), the estimated total state support for local and regional jails averaged \$30.54 per state inmate, per day in FY 2013.

The Department of Alcoholic Beverage Control reports that the bill will not have a fiscal impact on the agency.

**9. Specific Agency or Political Subdivisions Affected:** Compensation Board, Department of Alcoholic Beverage Control, local and regional jails.

**10. Technical Amendment Necessary:** No.

**11. Other Comments:** Identical to HB1908E.