

Department of Planning and Budget 2018 Fiscal Impact Statement

1. Bill Number: SB110

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

2. Patron: Howell

3. Committee: Courts of Justice

4. Title: Police officers testify as to field test results for misdemeanor possession of marijuana with intent to distribute cases

5. Summary: Allows law enforcement officers to testify as to the results of a field test in cases of misdemeanor possession of marijuana with the intent to distribute. Under current law, such testimony is allowed only in any trial for simple possession of marijuana.

6. Budget Amendment Necessary: No.

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

8. Fiscal Implications: Currently, possession of marijuana with intent to distribute (PWID) cases require a full chemical analysis by the Department of Forensic Science (DFS). This bill expands the types of cases where law enforcement can testify to the results of the field test kits, reducing submissions to DFS. However, full chemical analyses of misdemeanor possession with intent to distribute as well as simple possession of marijuana may still be completed by DFS at the request of defense attorneys.

DFS anticipates a reduction in the number of marijuana analyses that will be conducted by their scientists as a result of this proposed legislation. However, DFS does not track the type of charge associated with the analyses they perform, therefore, there is insufficient data to determine how many of the approximately 7,000 marijuana cases they receive annually that this legislation would apply to at this time.

9. Specific Agency or Political Subdivisions Affected: Department of Forensic Science; Department of State Police.

10. Technical Amendment Necessary: None.

11. Other Comments: This bill is identical to HB88.