

**Department of Planning and Budget
2008 Fiscal Impact Statement**

1. Bill Number: HB719

House of Origin Introduced ___ Substitute ___ Engrossed
Second House ___ In Committee ___ Substitute ___ Enrolled

2. Patron: Janis

3. Committee: Courts of Justice

4. Title: **Punishment for underage drinking and driving; penalty.**

5. Summary: Provides that “zero tolerance” (0.02% BAC) underage drinking and driving is punishable as a Class 1 misdemeanor (up to 12 months in jail and/or \$2,500 fine). Currently, the punishment is loss of license for six months and a fine of no more than \$500. This bill provides for forfeiture of such person's license to operate a motor vehicle for a period of one year from the date of conviction and a mandatory minimum fine of \$250. Punishment set forth in the bill mimics punishment for DUI.

6. Fiscal Impact Estimates: PRELIMINARY.

7. Budget Amendment Necessary: No.

8. Fiscal Implications: Although insufficient data exists to determine the fiscal impact due to the legislation at this time, the legislation could result in an increase in the jail population. Any increase in jail population will increase costs to the state. The Commonwealth pays the localities \$8.00 a day for each misdemeanant or otherwise local responsible prisoner held in a jail. It also funds most 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 FY2006 Jail Cost Report (November 1, 2007), the estimated total state support for local jails averaged \$28.42 per inmate, per day in FY 2006.

9. Specific Agency or Political Subdivisions Affected: Local and regional jails, law enforcement agencies statewide, State Compensation Board.

10. Technical Amendment Necessary: No.

11. Other Comments: None.

Date: 1/17/2008 dpb/jgc

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cc: Secretary of Administration
Secretary of Public Safety