

Department of Planning and Budget 2008 Fiscal Impact Statement

1. Bill Number: SB507

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

2. Patron: McDougale

3. Committee: Courts of Justice

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

5. Summary: Provides that "zero tolerance" (0.02% blood alcohol concentration) underage drinking and driving is punishable as a Class 1 misdemeanor (a fine up to \$2,500 and/or up to 12 months in jail). 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 not less than six months or more than a year from the date of conviction and either a mandatory minimum 50 hours of community service or a mandatory minimum fine of \$500.

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