

Department of Planning and Budget

2008 Fiscal Impact Statement

1. Bill Number SB 562

House of Origin ☐ Introduced ☐ Substitute ☐ Engrossed
Second House ☐ In Committee ☐ Substitute ☒ Enrolled

2. Patron Obenshain

3. Committee Passed both houses

4. Title **Methamphetamine**

5. Summary/Purpose:

Current law provides several mandatory minimum penalties for offenses involving Schedule I or II drugs, including methamphetamine. The proposed legislation would provide an additional sentencing framework for the manufacture or distribution of methamphetamine, as follows:

- 28 grams or more—5 to 40 years, three years of which shall be a mandatory minimum sentence to be served consecutively with any other sentence.
- 227 grams or more—5 years to life imprisonment, five years of which shall be a mandatory minimum sentence to be served consecutively with any other sentence.

6. Fiscal Impact: Final. See Item 8.

Expenditure Impact:

<i>Fiscal Year</i>	<i>Dollars</i>	<i>Fund</i>
2009	\$260,310	General
2010	\$0	General
2011	\$0	General
2012	\$0	General
2013	\$0	General
2014	\$0	General

7. Budget amendment necessary: Yes. Item 391.

8. Fiscal implications:

Pursuant to §30-19.1:4 of the Code of Virginia, the Virginia Criminal Sentencing Commission estimates a fiscal impact of \$260,310 (the highest annual cost over the next six

years). The amount is based on the projection that the legislation will result in nine additional inmates being incarcerated in prison.

The proposed legislation has a contingency clause requiring a general fund appropriation for the estimated fiscal impact in order for the legislation to become effective. The budget amendments proposed by the House of Delegates include an appropriation for the estimated fiscal impact of this legislation.

9. Specific agency or political subdivisions affected:

Department of Corrections

10. Technical amendment necessary: No.

11. Other comments: Identical to HB 931, which was also passed by both houses.

Date: {4/3/2008} rwh

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