

## Department of Planning and Budget

### 2015 Fiscal Impact Statement

**1. Bill Number:** HB2221

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

**2. Patron:** Davis

**3. Committee:** Courts of Justice

**4. Title:** DUI; preliminary analysis of saliva.

**5. Summary:** The proposed legislation provides that a person suspected of driving under the influence (DUI) or DUI boating is entitled, and a person suspected of commercial DUI may be required, to have his saliva analyzed to determine the presence of any intoxicant or drug in his blood in the same manner that a preliminary analysis of breath to determine the probable alcohol content of a person's blood is currently conducted.

**6. Budget Amendment Necessary:** Yes. Item 401.

**7. Fiscal Impact Estimates:** Preliminary. See Items 7a and 8.

**7a. Expenditure Impact:**

<i>Fiscal Year</i>	<i>Dollars</i>	<i>Positions</i>	<i>Fund</i>
2015	0	0	0
2016	\$35,000	0	0100
2017	0	0	0
2018	0	0	0
2018	0	0	0
2020	0	0	0
2021	0	0	0

**8. Fiscal Implications:** This bill requires the analysis of saliva of person suspected of driving under the influence (DUI) or DUI boating. The Department of Forensic Science (Department) is to determine the proper method and equipment to be used by law enforcement for preliminary saliva tests, and to advise law enforcement of the same.

The Department estimates that it cannot absorb within its existing resources the costs associated with researching and testing preliminary saliva test devices for accuracy and reliability in order to set appropriate criteria or specifications for use of such devices in Virginia. Therefore, the Department estimates that it will require one wage scientist and who will require approximately 200 hours to complete this task.

Costs associated with this research and testing process will also include laboratory supplies, drug standards, and independent laboratory testing of control samples.

**9. Specific Agency or Political Subdivisions Affected:** Department of Forensic Science, state and local law enforcement.

**10. Technical Amendment Necessary:** None.

**11. Other Comments:** None.

**Date:** 1/26/2015-HB2221.docx (LAJ)