

Department of Planning and Budget 2016 Fiscal Impact Statement

1. Bill Number: HB170

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: Albo

3. Committee: Courts of Justice

4. Title: Controlled paraphernalia; reduces penalty for possession, Class 1 misdemeanor for distribution.

5. Summary: The bill reduces the penalty for the possession of controlled paraphernalia from a Class 1 misdemeanor to a Class 2 misdemeanor. Controlled paraphernalia is currently defined as (i) a hypodermic syringe or other instrument adapted for the administration of controlled substances under circumstances that reasonably indicate an intention to use such controlled paraphernalia for purposes of illegally administering any controlled substance or (ii) gelatin capsules, glassine envelopes, or any other container suitable for the packaging of individual quantities of controlled substances in sufficient quantity to and under circumstances that reasonably indicate an intention to use any such container for the illegal manufacture, distribution, or dispensing of controlled substances.

6. Budget Amendment Necessary: No.

7. Fiscal Impact Estimates: Preliminary.

8. Fiscal Implications: Under the proposal a conviction for the possession of controlled paraphernalia will result in a lesser jail sentence. This is because a Class 1 misdemeanor carries a sentence of up to 12 months in jail, while a Class 2 misdemeanor carries a sentence of up to six months jail. It is not possible to estimate the number of inmates that would be subject to a lesser sentence under the proposed legislation, but it is expected that the fiscal impact resulting from the provisions of this legislation will be minimal.

9. Specific Agency or Political Subdivisions Affected: Courts, local and regional jails, and the Compensation Board.

10. Technical Amendment Necessary: None.

11. Other Comments: None.

Date: 1/19/2016- HB170.docx(NCS)