Department of Planning and Budget
2019 Fiscal Impact Statement

1. **Bill Number:** HB2557

    House of Origin   ☒ Introduced   ☐ Substitute   ☐ Engrossed

    Second House   ☐ In Committee   ☐ Substitute   ☐ Enrolled

2. **Patron:**   Pillion

3. **Committee:** Health, Welfare and Institutions

4. **Title:**   Drug Control Act; Schedule V; gabapentin.

5. **Summary:** Classifies gabapentin as a Schedule V controlled substance. Current law lists gabapentin as a drug of concern.

6. **Budget Amendment Necessary:** See item #8.

7. **Fiscal Impact Estimates:** Preliminary, see item #8.

Fiscal Year	Dollars	Positions	Fund
2019	50,000	0	General

8. **Fiscal Implications:** The bill moves gabapentin to a Schedule V controlled substance. Any person in violation of code section 18.2-248 F with respect to Schedule V controlled substances shall be guilty of a Class 1 misdemeanor. Anyone convicted of a Class 1 misdemeanor is subject to a sentence of up to 12 months in jail. There is not enough information available to reliably estimate how many additional inmates in jail could result from this proposal. Ultimately, the presiding judge will decide if there is to be any time served in jail; however, any increase in jail population will increase costs to the state. The Commonwealth presently pays the localities $4.00 a day for each misdemeanant or otherwise local responsible prisoner held in a jail. It also funds a large portion 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 Jail Cost Report (November 2018), the estimated total state support for local jails averaged $33.83 per inmate, per day in FY 2017.

    This bill would not impact the Department of Forensic Science or the Department of Health Professions.

9. **Specific Agency or Political Subdivisions Affected:** None.

10. **Technical Amendment Necessary:** No.

11. Other Comments: None.