

Department of Planning and Budget
2020 Special Session I - Fiscal Impact Statement

1. Bill Number: SB5013

House of Origin Introduced Substitute Engrossed

Second House In Committee Substitute Enrolled

2. Patron: Stuart

3. Committee: Judiciary

4. Title: Possession of marijuana; prepay penalty.

5. Summary: Under current law, unlawful possession of marijuana is punishable as a civil offense, subject to a penalty of no more than \$25. Current law requires that violations be charged by summons in the same form as the uniform summons for motor vehicle law violations as prescribed in § 46.2-388 (Uniform summons to be used for reportable motor vehicle law violations; citations). This bill requires that the form contain the option for the person charged to prepay the civil penalty.

6. Budget Amendment Necessary: No.

7. Fiscal Impact Estimates: Preliminary. See Item 8 below.

8. Fiscal Implications: The Virginia State Police (VSP) consults with the Supreme Court when changes are made to certain forms used by law-enforcement officers, including the Virginia Uniform Summons (form SP-082). VSP estimates the cost of reprinting form SP-082 with the change required by this bill at \$19,676 (one-time cost to purchase new forms). This covers the cost of two reprinted orders (\$9,838 per order) for use by VSP troopers. It is expected that VSP could absorb this one-time cost within the agency's existing budget. After this initial reprint, VSP would continue restocking form SP-082 using funding from its existing operating budget. The fiscal impact on local law-enforcement agencies, which will also have to purchase revised forms, cannot be determined at this time. This bill is not expected to have a fiscal impact on the Courts or on the Office of Attorney General.

9. Specific Agency or Political Subdivisions Affected: Virginia State Police, local law-enforcement agencies

10. Technical Amendment Necessary: None

11. Other Comments: According to VSP, the administrative process to revise and procure summonses requires at least 6 months to complete.