

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

**1. Bill Number:** SB5013

|                        |                                     |              |                          |            |                          |           |
|------------------------|-------------------------------------|--------------|--------------------------|------------|--------------------------|-----------|
| <b>House of Origin</b> | <input checked="" type="checkbox"/> | Introduced   | <input type="checkbox"/> | Substitute | <input type="checkbox"/> | Engrossed |
| <b>Second House</b>    | <input type="checkbox"/>            | In Committee | <input type="checkbox"/> | Substitute | <input type="checkbox"/> | 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.