

Department of Planning and Budget

2024 Session Fiscal Impact Statement

1. Bill Number: HB815

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

2. Patron: Cherry

3. Committee: Committee Referral Pending

4. Title: Medical cannabis program; product expiration; confidentiality; penalty.

5. Summary: This bill increases the maximum expiration date allowable for a cannabis product after registration absent stability testing, from six months to 12 months. The bill allows pharmaceutical processors to employ as pharmacy technician trainees individuals who have less than one year of experience and allows pharmaceutical processors to employ persons with less than one year of experience to perform certain other supervised duties for which current law requires two years of experience. The bill also provides for the confidentiality of certain records and other information of the Board of Directors of the Virginia Cannabis Control Authority by making unlawful disclosures a Class 1 misdemeanor, including the exemption of certain information from the mandatory disclosure provisions of the Virginia Freedom of Information Act.

6. Budget Amendment Necessary: No.

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

8. Fiscal Implications: The Cannabis Control Authority, which oversees the Medical Cannabis Program, does not expect a fiscal impact as a result of this legislation.

The proposed legislation also creates new Class 1 misdemeanor. Anyone convicted of a Class 1 misdemeanor is subject to a sentence of up to 12 months in jail and a fine of not more than \$2,500, either or both. There is not enough information available to reliably estimate the increase in jail population as a result of this proposal. However, any increase in jail population will increase costs to the state. The Commonwealth currently pays localities \$5.00 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 2023), the estimated total state support for local jails averaged \$45.76 per inmate, per day in FY 2022.

9. Specific Agency or Political Subdivisions Affected: Cannabis Control Authority

10. Technical Amendment Necessary: No.

11. Other Comments: None.