

**Department of Planning and Budget
2024 Session Fiscal Impact Statement**

1. **Bill Number:** HB1187

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

2. **Patron:** Hodges

3. **Committee:** Courts of Justice

4. **Title:** Schedule III drugs.

5. **Summary:** Adds xylazine to the list of Schedule III drugs.

6. **Budget Amendment Necessary:** Yes, item 390.

7. **Fiscal Impact Estimates:**

7a. **Expenditure Impact:**

<i>Fiscal Year</i>	<i>Dollars</i>	<i>Positions</i>	<i>Fund</i>
2025	\$50,000		01000

8. **Fiscal Implications:** 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 misdemeanor 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.

Due to the lack of data, the Virginia Criminal Sentencing Commission has concluded, pursuant to §30-19.1:4 of the Code of Virginia, that the impact of the proposed legislation on state-responsible (prison) bed space cannot be determined. In such cases, Chapter 1, 2023 Acts of Assembly, Special Session I, requires that a minimum impact of \$50,000 be assigned to the bill.

This legislation would not have a fiscal impact on the Department of Health Professions.

9. **Specific Agency or Political Subdivisions Affected:** Local and Regional Jails.

10. Technical Amendment Necessary: No.

11. Other Comments: None.