



## Impact Analysis on Proposed Legislation

### Virginia Criminal Sentencing Commission

#### House Bill No. 1450

(Patron – Thomas)

LD#: 24105240

Date: 01/16/2024

Topic: Scheduled controlled substances

#### Fiscal Impact Summary:

- **State Adult Correctional Facilities:**  
None (\$0)\*
- **Local Adult Correctional Facilities:**  
None (\$0)
- **Adult Community Corrections Programs:**  
None (\$0)

- **Juvenile Correctional Centers:**  
None (\$0) \*\*
- **Juvenile Detention Facilities:**  
None (\$0) \*\*

\*\* Provided by the Department of Juvenile

\* Pursuant to § 30-19.1:4, fiscal impact statements prepared by the Virginia Criminal Sentencing Commission only include the estimated increase in operating costs associated with additional state-responsible prison beds and do not reflect any other costs or savings that may be associated with the proposed legislation.

#### Summary of Proposed Legislation:

The proposal amends §§ 54.1-3446, 54.1-3448, 54.1-3452, and 54.1-3454 of the *Code* to add certain chemical compounds to Schedules I, II, IV, and V of the Drug Control Act.

In 2014, the General Assembly enacted legislation giving the Board of Pharmacy authority to amend its regulations to add substances to Schedules I through VI of the Drug Control Act via an expedited regulatory process. The scheduling of new compounds adopted by the Board of Pharmacy via this process remains in effect for a period of 18 months, after which the compounds will be de-scheduled unless the Drug Control Act is amended by legislation passed by the General Assembly.

According to the Board of Pharmacy, the chemicals and drugs specified in the proposal have already been scheduled by regulatory action of the Board.<sup>1</sup>

#### Analysis:

The proposal adds numerous chemical compounds to Schedules I, II, IV, and V. The number of incidents involving these specific substances is not known.

<sup>1</sup> E-mail communication from Caroline Juran, Board of Pharmacy, to Meredith Farrar-Owens. 27 December 2023.

**Impact of Proposed Legislation:**

**State adult correctional facilities.** According to the Board of Pharmacy, the compounds specified in the proposal have already been added to the Drug Schedules through the regulatory process. If so, the proposed legislation is not expected to have any additional impact on the state-responsible (prison) bed space needs of the Commonwealth if enacted.

**Local adult correctional facilities.** Similarly, the proposed legislation will not have any additional impact on local-responsible (jail) bed space needs.

**Adult community corrections programs.** The proposal will not affect adult community corrections programs.

**Virginia’s Sentencing Guidelines.** No adjustment to the Guidelines would be necessary under the proposal.

**Juvenile correctional centers.** According to the Department of Juvenile Justice (DJJ), the proposal is not expected to increase direct care (juvenile correctional center or alternative commitment placement) bed space needs.

**Juvenile detention facilities.** The Department of Juvenile Justice (DJJ) reports that the proposal will not increase the bed space needs of juvenile detention facilities.

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**Pursuant to § 30-19.1:4, the estimated amount of the necessary appropriation is \$0 for periods of imprisonment in state adult correctional facilities and is \$0 for periods of commitment to the custody of the Department of Juvenile Justice.**

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