

Fiscal Estimate Narratives

DA 3/25/2011

LRB Number	11-0336/4	Introduction Number	AB-0057	Estimate Type	Original
Description Certain controlled substances and providing a penalty					

Assumptions Used in Arriving at Fiscal Estimate

Prosecutors provided differing opinions regarding the potential fiscal impact of this bill on their offices. Some DAs believe the fiscal impact will be minimal for the following reasons:

- (1) Though the substances have been used as a substitute for THC, they are relatively new and should be treated as marijuana (THC) or stimulants, respectively.
- (2) Most of the violations initially will be handled as municipal ordinance violations with minimal prosecution resource expenses (other than to advise law enforcement agencies, develop prosecution policies, and assist law enforcement agencies in applying the statutes [i.e. - when to charge criminal vs. municipal ordinance]).

Other DAs, however, indicated the bill would have a fiscal impact on their offices by increasing their workload:

- (1) Two smaller DA offices anticipate an increase of 20-30 cases per year, with the time commitment ranging from a few hours to 10 or more hours per case, which does not include time spent on suppression hearings or at trial.
- (2) A medium-sized DA office, located in a county with a significant amount of drug activity, estimated 50-100 cases per year. The DA anticipates that his office would handle these cases, rather than deferring to ordinance violations.

Long-Range Fiscal Implications

There was not unanimous agreement among prosecutors whether or not there would be a fiscal impact due to this bill.