

Fiscal Estimate Narratives

CTS 2/20/2006

LRB Number 05-4368/1	Introduction Number AB-989	Estimate Type Original
Description The controlled substance ecstasy and providing penalties		

Assumptions Used in Arriving at Fiscal Estimate

This bill increases the penalty for possession of the controlled substance ecstasy (3,4-methylenedioxyamphetamine, commonly known as MDMA). The current penalty for possession of ecstasy is a misdemeanor and the person may be fined not more than \$500 or imprisoned in the county jail for not more than 30 days or both. This bill increases those penalties so that they are the same as the current penalties for possessing or attempting to possess LSD (lysergic acid diethylamide). Under the bill, if a person is convicted of possessing or attempting to possess ecstasy, the person is guilty of a misdemeanor and may be fined not more than \$5,000 or imprisoned in the county jail for not more than one year or both. But, if a person is convicted of possessing or attempting to possess ecstasy after being convicted of any state or federal controlled substance offense, the person is guilty of a Class I felony and may be fined up to \$10,000 or sentenced to a term of imprisonment of up to three and one-half years (which, if the sentence is for more than one year, consists of a term of confinement in prison followed by a term of extended supervision) or both.

This change may lead to more criminal proceedings for crimes involving ecstasy. It is unknown how many criminal cases will be subject to the terms of this bill. Additional proceedings require additional judge, court reporter, court staff and juror time. Felony proceedings generally require additional court appearances and more court hearings than misdemeanors. These costs are borne by both the state and the county. An accurate estimate of the additional costs is impossible with the data available.

Long-Range Fiscal Implications