

Fiscal Estimate - 2005 Session

Original Updated Corrected Supplemental

LRB Number 05-3283/1		Introduction Number SB-294	
Subject Controlled substances			
Fiscal Effect			
State:			
<input type="checkbox"/> No State Fiscal Effect			
<input checked="" type="checkbox"/> Indeterminate			
<input type="checkbox"/> Increase Existing Appropriations	<input type="checkbox"/> Increase Existing Revenues	<input type="checkbox"/> Increase Costs - May be possible to absorb within agency's budget <input type="checkbox"/> Yes <input type="checkbox"/> No	
<input type="checkbox"/> Decrease Existing Appropriations	<input type="checkbox"/> Decrease Existing Revenues		
<input type="checkbox"/> Create New Appropriations			
<input type="checkbox"/> Decrease Costs			
Local:			
<input type="checkbox"/> No Local Government Costs			
<input checked="" type="checkbox"/> Indeterminate			
1. <input type="checkbox"/> Increase Costs	3. <input type="checkbox"/> Increase Revenue	5. Types of Local Government Units Affected	
<input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory	<input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory		<input type="checkbox"/> Towns <input type="checkbox"/> Village <input type="checkbox"/> Cities
2. <input type="checkbox"/> Decrease Costs	4. <input type="checkbox"/> Decrease Revenue		<input type="checkbox"/> Counties <input type="checkbox"/> Others
<input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory	<input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory		<input type="checkbox"/> School Districts <input type="checkbox"/> WTCS Districts
Fund Sources Affected		Affected Ch. 20 Appropriations	
<input type="checkbox"/> GPR <input type="checkbox"/> FED <input type="checkbox"/> PRO <input type="checkbox"/> PRS <input type="checkbox"/> SEG <input type="checkbox"/> SEGS			
Agency/Prepared By	Authorized Signature	Date	
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Fiscal Estimate Narratives

DOC 9/7/2005

LRB Number	05-3283/1	Introduction Number	SB-294	Estimate Type	Original
Subject					
Controlled substances					

Assumptions Used in Arriving at Fiscal Estimate

Under current law controlled substances are under five separate schedules. The controlled substance gamma-butyrolactone (GBL), which is a depressant, is placed under Schedule I. Controlled substances that are placed under Schedule I prohibit a person from 1) manufacturing distributing, or delivering, 2) possessing with the intent to manufacture, distribute or deliver or 3) possessing or attempting to possess. A person who violates these prohibitions may be found guilty of a Class C, D, E, F or H felonies depending on the amount of GBL involved.

This bill continues to identify GBL as a Schedule I controlled substance when it is packaged, marketed, manufactured, or promoted for human consumption. Criminal penalties do not apply if GBL is being used for mechanical, industrial, manufacturing, or scientific applications or purposes only. This bill also adds 1, 4-butaneiol (BDO), which is an industrial solvent, as a Schedule 1 controlled substance and provides the same restrictions and penalties as GBL. Previously, BDO was not listed as a controlled substance.

The addition of 1,4-butanediol (BDO) to Schedule I drugs may result in an increase of offenders who are jailed, placed on probation or sentenced to prison for violations of Schedule I drug prohibitions.

The Department of Corrections, however, is unable to project the number of offenders who may be subject to the criminal penalty provisions of this bill and is therefore unable to estimate the fiscal impact on state or local government. In FY 04 the annual cost to place an inmate in a DOC institution was \$28,000 and \$2,000 per year for a community supervision placement.

A local impact will occur if an offender is sentenced to a jail term under the provisions in this bill.

Long-Range Fiscal Implications