

# SENATE APPROPRIATIONS COMMITTEE FISCAL NOTE

**BILL NO.** Senate Bill 1006

**PRINTER'S NO.** 1120

## **AMOUNT**

No Fiscal Impact to the Department of Health  
\$128,000 - \$256,000 to the Department of Corrections

## **FUND**

General Fund

## **DATE INTRODUCED**

April 28, 2011

## **PRIME SPONSOR**

Senator Vogel

## **HISTORY OF BILL**

Referred to JUDICIARY, April 28, 2011

Reported as committed, May 3, 2011

First consideration, May 3, 2011

Second consideration, May 4, 2011

Re-referred to APPROPRIATIONS, May 4, 2011

Re-reported as committed, May 9, 2011

## **DESCRIPTION AND PURPOSE OF BILL**

Senate Bill 1006 amends Act 64 of 1972, known as The Controlled Substance, Drug, Device and Cosmetic Act by adding certain chemical compounds to the list of substances itemized within Schedule I of the Act.

Specifically, this legislation adds to Schedule I "Salvinorin A" and "Divinorin A" which are the chemical compositions for Salvia Divinorum, which is also added to the list. Additionally, the chemical compounds for synthetic marijuana and synthetic cocaine and heroin (also known as concentrated bath salts) are added as well.

## **FISCAL IMPACT:**

Amending the itemized list of chemical compounds within Schedule I of The Controlled Substance, Drug, Device and Cosmetic Act would have no fiscal impact to the Pennsylvania Department of Health.

## **SENATE APPROPRIATIONS COMMITTEE FISCAL NOTE**

With the passage of this legislation it is estimated that there may be a minimal fiscal impact to the Pennsylvania Department of Corrections (DOC), although the amount is indeterminate at this time due to several factors. First, there isn't any data available to determine the number of cases that currently exists within the Commonwealth that involves these additional chemical compounds simply because they haven't been tracked because they aren't currently illegal. Secondly, it cannot be determined what the grading of the offense would be, due to the fact that it would be dependent on the circumstances existing at the time of arrest. The grading factors would be a determining factor in the costs to the Commonwealth due to the sentencing guidelines (sentencing of prison, jail or local/state probation).

The per diem cost for a small population increase at the DOC is \$14.00 per inmate/per day. Therefore, if 25 convictions a year resulted in a sentencing of incarceration within a State Correctional Institution, the estimated annual costs to the DOC would be \$128,000 or \$256,000 if the number of convictions rose to 50.