

SENATE APPROPRIATIONS COMMITTEE FISCAL NOTE

BILL NO. House Bill 1661

PRINTER NO. 2091

AMOUNT

See Fiscal Impact

FUND

General Fund

DATE INTRODUCED

September 7, 2023

PRIME SPONSOR

Representative Metzgar

DESCRIPTION

House Bill 1661 amends the Controlled Substance, Drug, Device and Cosmetic Act by criminalizing the illicit possession and use of xylazine and provides for certain veterinary use exemptions.

This legislation defines the "xylazine" and the "licit use of xylazine" and provides for prohibited acts and penalties related to xylazine, except for the licit use in veterinary practices.

Additionally, the bill requires a veterinarian to comply with the provisions of Act 699 of 1961, known as the Pharmacy Act, requiring the secure storage of Schedule II controlled substances in locked, substantially constructed cabinets.

This act shall take effect in 60 days.

FISCAL IMPACT:

The bill establishes that any person convicted of the illicit use of xylazine is guilty of a felony and upon conviction thereof shall be sentenced to imprisonment not exceeding five years, or to pay a fine not exceeding \$15,000, or both.

Using the Department of Corrections' minimum marginal cost of \$41.68 per inmate per day, the Commonwealth would incur additional costs of approximately \$75,000 annually for every five defendants sentenced to a State Correctional Institution.