# Department of Planning and Budget
## 2025 General Assembly Session
### State Fiscal Impact Statement

**PUBLISHED: 1/9/2025 3:47 PM** **ORIGINAL**

**Bill Number:** HB1955 **Patron:** Gardner
**Bill Title:** Manufacturing, selling, giving, distributing, or possessing with intent to manufacture, sell, give, or distribute a controlled substance or an imitation controlled substance prohibited; penalties.

**Bill Summary:** Removes the distinction between cocaine, which refers to powder cocaine, its salts, optical and geometric isomers, and salts of isomers and a mixture or substance that contains cocaine base, which refers to crack cocaine, for the offense of manufacturing, selling, giving, distributing, or possessing with intent to manufacture, sell, give, or distribute a controlled substance or an imitation controlled substance.

**Budget Amendment Necessary:** No **Items Impacted:** N/A
**Explanation:** Not applicable

**Fiscal Summary:** There is no anticipated fiscal impact as a result of this bill.

**Fiscal Analysis:** According to the Virginia Criminal Sentencing Commission (VCSC), the proposal increases the quantity of crack cocaine necessary to trigger the higher penalties specified in § 18.2-248 of the Code of Virginia, requiring approximately twice as much powder cocaine as crack cocaine to trigger the specified penalties. As such, VCSC concludes that due to the increases in the amount of crack cocaine needed to trigger certain penalties, the proposal is not expected to increase the future state-responsible (prison) bed space needs of the Commonwealth, local-responsible (jail) bed space needs, and adult community corrections resources.

According to the Department of Juvenile Justice, the impact of the proposal on direct care bed space needs and the bed space needs of juvenile detention facilities cannot be reliably determined at this time.

According to the Department of Forensic Science (DFS), there is no anticipated fiscal impact from this bill. The bill may reduce the number of times DFS may need to do additional tests to differentiate between cocaine powder and crack cocaine, but does not anticipate any material savings due to the limited number of tests the agency conducts.

**Other:** None.