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

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Bill Number: SB1266 **Patron:** Durant
Bill Title: Possession of retail tobacco products and hemp products intended for smoking by a person younger than 21 years of age prohibited; penalty.

Bill Summary: Prohibits any person younger than 21 years of age from possessing any retail tobacco product or hemp product intended for smoking, as those terms are defined in relevant law. Any person who violates such prohibition is guilty of a Class 1 misdemeanor.

Budget Amendment Necessary: No. **Items Impacted:** N/A
Explanation: N/A

Fiscal Summary: There is an indeterminate amount of possible civil penalty revenue to the Literary Fund.

Fiscal Analysis: Anyone convicted of a Class 1 misdemeanor is subject to a sentence of up to 12 months in jail and a fine of not more than $2,500, either or both. Proceeds of all fines and penalties collected for offenses committed against the Commonwealth are paid into the state treasury to the credit of the Literary Fund.

There is not enough information available to reliably estimate the increase in jail population as a result of this proposal. However, any increase in jail population will increase costs to the state. The Commonwealth currently pays localities $5.00 a day for each misdemeanant or otherwise local-responsible prisoner held in a jail. It also funds a large portion of the jails' operating costs, e.g., correctional officers. The state's share of these costs on a per prisoner, per day basis varies from locality to locality. However, according to the Compensation Board's most recent Jail Cost Report (November 2024), the estimated total state support for local jails averaged $56.38 per inmate, per day in FY 2023.

Other: None.