



Impact Analysis on Proposed Legislation

Virginia Criminal Sentencing Commission

House Bill 1103 (Patron—Hodes)

LD#: 26103688

Date: 12/15/2025

Topic: Manufacturing, selling, giving, distributing, or possessing medetomidine

Fiscal Impact Summary:

- **State Adult Correctional Facilities:**
\$50,000 *
- **Local Adult Correctional Facilities:**
Cannot be determined
- **Adult Community Corrections Programs:**
Cannot be determined

- **Juvenile Direct Care:**
Cannot be determined**
- **Juvenile Detention Facilities:**
Cannot be determined**

**Provided by the Department of Juvenile Justice

* The estimated amount of the necessary appropriation cannot be determined for periods of imprisonment in state adult correctional facilities; therefore, Chapter 725 of the Acts of Assembly of 2025, requires the Virginia Criminal Sentencing Commission to assign a minimum fiscal impact of \$50,000.

Pursuant to § 30-19.1:4, fiscal impact statements prepared by the Virginia Criminal Sentencing Commission only include the estimated increase in operating costs associated with additional state-responsible prison beds and do not reflect any other costs or savings that may be associated with the proposed legislation.

Summary of Proposed Legislation:

The proposal amends § 18.2-251.5 of the *Code* to establish criminal penalties for certain acts involving medetomidine. This substance is a non-opioid, veterinary sedative, similar to xylazine; however, medetomidine is 100-200 times more potent than xylazine and can cause longer-lasting sedation, low heart rates, and more severe withdrawal symptoms.¹ Currently, medetomidine is classified as a Schedule VI drug within Virginia's Drug Control Act (§ 54.1-3443 et seq.).²

Under the proposal, manufacturing, selling, giving, distributing, or possessing with intent to distribute medetomidine would be a Class 5 felony.³ Simple possession of medetomidine would be a Class 1 misdemeanor. These are the same penalties currently prescribed in § 18.2-251.5 for offenses involving xylazine and the penalties parallel those specified in § 18.2-248(E1) and § 18.2-250(A,b) for comparable acts involving Schedule III drugs. Currently, it is a Class 1 misdemeanor to manufacture, distribute, etc., medetomidine (§ 18.2-248(F)) and a Class 4 misdemeanor to possess such a substance (§ 18.2-250(A,c)).

¹ UNC School of Medicine. (2025). *Substance Brief: Medetomidine*. Retrieved from <https://www.med.unc.edu/fammed/nctac/wp-content/uploads/sites/1256/2025/08/ACHD-Medetomidine-Brief-August-2025.pdf>

² E-mail communication from Director Caroline Juran, Board of Pharmacy, to Meredith Farrar-Owens. 15 December 2025.

³ Under current law, the felony defined in § 18.2-251.5 is eligible for the enhanced sentence credits specified in § 53.1-202.3, whereby offenders serve a minimum of 67% of the sentence ordered by the court. The proposed legislation does not change the earned sentence credits available to offenders convicted under this statute.

Exceptions are provided in the proposal for use of medetomidine in the course of legitimate veterinarian practice.

Analysis:

Existing databases do not provide sufficient detail to estimate the number of new convictions likely to result from enactment of the proposal. If convicted, such individuals may be sentenced similarly to defendants convicted under the existing § 18.2-251.5 for offenses involving xylazine; however, this statute was recently enacted (2024 General Assembly) and sentencing data specific to this provision are limited. Sentencing information for offenses involving Schedule III drugs is provided below.

According to fiscal year (FY) 2024 and FY2025 Circuit Court Case Management System (CMS) data, 89 offenders were convicted of a Class 5 felony under § 18.2-248(E1) for manufacturing, distributing, etc., a Schedule III drug (as the primary, or most serious, offense at sentencing). Of these, more than one-third (34.8%) received a state-responsible (prison) term for which the median sentence was 1.7 years. Another 31.5% received a local-responsible (jail) term with a median sentence of 4.0 months. The remaining 33.7% did not receive an active term of incarceration to serve after sentencing.

General District CMS data for FY2024 and FY2025 indicate that 1,763 offenders were convicted of a Class 1 misdemeanor under § 18.2-250 for possession of a Schedule III substance. Nearly two-thirds (64.6%) of these offenders did not receive an active term of incarceration to serve after sentencing. The other 35.4% received a local jail term; the median sentence in these cases was 2.0 months.

Impact of Proposed Legislation:

State adult correctional facilities. Because it expands an existing provision to establish a Class 5 felony penalty for manufacturing, distributing, etc., medetomidine, the proposal may increase the state-responsible (prison) bed space needs of the Commonwealth. Since the number of additional felony convictions that may result from the proposal cannot be estimated with available data, the magnitude of the impact on prison beds cannot be determined.

Local adult correctional facilities. With the creation of felony and misdemeanor penalties associated with medetomidine, the proposal may impact the local-responsible (jail) bed space needs; however, the magnitude of the impact cannot be quantified.

Adult community corrections programs. Because the proposal could result in convictions and subsequent supervision requirements for an additional number of offenders, the proposal may increase the need for adult community corrections resources. Since the number of cases that may be affected cannot be determined, the potential impact on community corrections resources cannot be estimated.

Virginia's Sentencing Guidelines. Convictions under § 18.2-251.5 are not currently covered by the Sentencing Guidelines. Such convictions may augment the Guidelines recommendation if the most serious offense at sentencing is covered by the Guidelines. No immediate adjustment to the Guidelines would be necessary under the proposal. If the proposal is enacted, the Sentencing Commission in the future would conduct analyses to determine the feasibility of adding new felonies to the Guidelines system.

Juvenile direct care. According to the Department of Juvenile Justice, the impact of the proposal on direct care (juvenile correctional center or alternative commitment placement) bed space needs cannot be determined.

Juvenile detention facilities. According to the Department of Juvenile Justice, the impact of the proposal on the bed space needs of juvenile detention facilities cannot be determined.

Pursuant to § 30-19.1:4, the estimated amount of the necessary appropriation cannot be determined for periods of imprisonment in state adult correctional facilities; therefore, Chapter 725 of the Acts of Assembly of 2025, requires the Virginia Criminal Sentencing Commission to assign a minimum fiscal impact of \$50,000.

Pursuant to § 30-19.1:4, the estimated amount of the necessary appropriation cannot be determined for periods of commitment to the custody of the Department of Juvenile Justice.

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