Fiscal Services Division
Legislative Services Agency
Fiscal Note

HF 260 - Controlled Substances and Devices Regulation (LSB 1091 HV)
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Fiscal Note Version - New

Description

House File 260 makes various changes relating to controlled substances (Chapter 124, Code of Iowa) to correspond with recent amendments to federal controlled substances laws and regulations and to make technical and corresponding corrections.

Background

- A Schedule I controlled substance has a high potential for abuse and has no accepted medical use in treatment in the United States.
- A Schedule II controlled substance has a high potential for abuse, is accepted for medical use in treatment in the United States, and abuse of the substance may lead to psychic or physical dependence.
- A Schedule III controlled substance has less potential for abuse than Schedule I and II drugs, is accepted for medical use in the United States, and abuse may lead to moderate or low physical dependence or high psychological dependence.
- A Schedule IV controlled substance has low potential for abuse, is currently accepted for medical treatment in the United States, and abuse may lead to limited physical or psychological dependence.
- A Schedule V controlled substance has a low potential for abuse, is currently accepted for medical use in the United States, and has a limited physical or psychological dependence.
- In FY 2006, there were 348 convictions for prescription drug use violations of Chapter 155A, Code of Iowa.
- There were 82 convictions for violations of Schedule I through V controlled substances. Of these, 64 were Class C felony convictions for Schedule I, II, and III controlled substances and 18 were aggravated misdemeanor convictions for Schedule IV and V controlled substances.

Assumptions

- The average State costs for one Class C felony conviction ranges from $4,400 (court costs, indigent defense, and probation) to $20,400 (court costs, jury trial, indigent defense, prison, and parole). The maximum costs will be incurred across multiple years while the offender is supervised in the correctional system, either in prison or in the community.
- The average State costs for one aggravated misdemeanor conviction ranges from $2,600 (court costs and probation) to $6,300 (court costs, jury trial, indigent defense, prison, and parole). The maximum costs will be incurred across multiple years while the offender is supervised in the correctional system, either in prison or in the community.

Correctional Impact

Although the modifications and additions in definitions of controlled substances enumerated in HF 260 may result in an increase in charges and convictions, it is not possible to estimate the correctional impact at this time.

Fiscal Impact

The fiscal impact for HF 260 cannot be determined at this time.

Sources

Division of Human Rights, Criminal and Juvenile Justice Planning Division
Judicial Branch
Department of Corrections
State Public Defender

/s/ Holly M. Lyons

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The fiscal note and correctional impact statement for this bill was prepared pursuant to Joint Rule 17 and pursuant to Section 2.56, Code of Iowa. Data used in developing this fiscal note and correctional impact statement are available from the Fiscal Services Division, Legislative Services Agency to members of the Legislature upon request.