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LB 668

Revision: 00

FISCAL NOTE

LEGISLATIVE FISCAL ANALYST ESTIMATE

ESTIMATE OF FISCAL IMPACT – STATE AGENCIES *				
	FY 2011-12		FY 2012-13	
	EXPENDITURES	REVENUE	EXPENDITURES	REVENUE
GENERAL FUNDS				
CASH FUNDS				
FEDERAL FUNDS				
OTHER FUNDS				
TOTAL FUNDS				

*Does not include any impact on political subdivisions. See narrative for political subdivision estimates.

This bill would change penalties relating to the purchase, receipt, or acquisition of pseudoephedrine or phenylpropanolamine. It changes the penalty for purchasing, etc., any drug product containing more than three and six-tenths grams of pseudoephedrine base or three and six-tenths grams of phenylpropanolamine base during a twenty-four-hour period unless purchased pursuant to a medical order. The penalty is increased from an infraction (penalty that is not a misdemeanor or a felony) to a Class IV misdemeanor (\$500 fine) for the first offense and a Class III misdemeanor (3 months jail, \$500 fine) for each subsequent offense.

Additionally, the bill adds penalties for purchasing, etc., any drug product containing more than nine grams of pseudoephedrine base or nine grams of phenylpropanolamine base during a thirty-day period unless purchased pursuant to a medical order. The penalty shall be a Class IV misdemeanor for the first offense and a Class III misdemeanor for each subsequent offense.

The provisions of this bill could impact state and local criminal justice resources (courts, law enforcement, prosecutors, public defenders, probation, jails, etc.). It is unknown how many individuals would violate the provisions of this bill, and therefore, it will have an indeterminate impact on criminal justice expenditures. Additionally, any fines assessed pursuant to convictions will accrue to the county where the violation occurs to be used for the support of public schools.