

# OFFICE OF FISCAL ANALYSIS

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sHB-6734

## AN ACT CONCERNING THE DECRIMINALIZATION OF POSSESSION OF SMALL AMOUNTS OF PSILOCYBIN.

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### **OFA Fiscal Note**

#### **State Impact:**

Agency Affected	Fund-Effect	FY 24 \$	FY 25 \$
Judicial Dept. (Probation); Correction, Dept.	GF - Potential Savings	See Below	See Below
Resources of the General Fund	GF - Potential Revenue Loss	See Below	See Below

Note: GF=General Fund

**Municipal Impact:** None

#### **Explanation**

The bill reduces the penalty for possession of small amounts of psilocybin<sup>1</sup> resulting in a potential savings to the Department of Correction and to the Judicial Department for reductions in incarceration and probation, and a potential revenue loss from fines. On average, the marginal cost to the state for incarcerating an offender for the year is \$2,500<sup>2</sup> while the average marginal cost for supervision in the community is less than \$800<sup>3</sup> each year.

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<sup>1</sup> Under current law this is a class A misdemeanor, the bill would make violations a fine of \$150 to \$500.

<sup>2</sup> Inmate marginal cost is based on increased consumables (e.g. food, clothing, water, sewage, living supplies, etc.) This does not include a change in staffing costs or utility expenses because these would only be realized if a unit or facility opened.

<sup>3</sup> Probation marginal cost is based on services provided by private providers and only includes costs that increase with each additional participant. This does not include a cost for additional supervision by a probation officer unless a new offense is

***The Out Years***

The annualized ongoing fiscal impact identified above would continue into the future subject to the number of violations.

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anticipated to result in enough additional offenders to require additional probation officers.