

# OFFICE OF FISCAL ANALYSIS

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sSB-424

AN ACT REDUCING THE BLOOD ALCOHOL LIMITS FOR  
IMPAIRED DRIVING AND BOATING AND STUDYING METHODS  
TO DETECT CANNABIS-IMPAIRED DRIVING.

## **OFA Fiscal Note**

### **State Impact:**

Agency Affected	Fund-Effect	FY 25 \$	FY 26 \$
Judicial Dept. (Probation); Correction, Dept.	GF - Potential Cost	Minimal	Minimal
Resources of the General Fund	GF - Potential Revenue Gain	Minimal	Minimal
Mental Health & Addiction Serv., Dept.	Other Fund - Potential	See Below	See Below

Note: GF=General Fund

### **Municipal Impact:**

Municipalities	Effect	FY 25 \$	FY 26 \$
Various Municipalities	Potential Revenue Gain	See Below	See Below

### **Explanation**

The bill, which reduces the blood alcohol limits for impaired driving and boating, results in a potential cost to the Department of Correction and the Judicial Department for incarceration or probation and a potential revenue gain from fines. On average, the marginal cost to the state for incarcerating an offender for the year is \$3,300<sup>1</sup> while the average marginal cost for supervision in the community is less than

<sup>1</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.

\$800<sup>2</sup> each year for adults and \$1,000 each year for juveniles. In FY 23, \$756,731 was collected in fines for various impaired driving violations. The bill also necessitates state and local law enforcement agencies to update their policies and training curriculums, but this is not anticipated to result in a fiscal impact.

To the extent the bill increases pretrial impaired driver intervention program referrals and participation, the non-appropriated Pre-Trial account under the Department of Mental Health and Addiction Services (DMHAS) could experience both increased program fee revenue as well as increased costs for participants for whom program fees are waived. For context, the evaluation fee is \$150 per person and the alcohol education component program fee is \$400.

Section 10 of the bill requires the Commissioners of Emergency Services and Public Protection and Transportation to report annually on issues related to drug recognition experts and roadside cannabis testing efforts, which does not result in a fiscal impact because this is within the expertise of both departments.

### ***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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<sup>2</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 anticipated to result in enough additional offenders to require additional probation officers.