

Department of Planning and Budget
2002 Fiscal Impact Statement

1. **Bill Number** HB602

House of Origin Introduced Substitute Engrossed
Second House In Committee Substitute Enrolled

2. **Patron** Black

3. **Committee** Science and Technology

4. **Title** Children's Internet Protection; public libraries.

5. **Summary/Purpose:**

Existing law requires library boards to establish acceptable use policies (AUP) for access to the Internet within public libraries. The policies must be designed to prohibit use of library computers for sending, receiving, viewing or downloading illegal material; prevent youths from accessing information harmful to juveniles; and establish appropriate consequences for violation of the policies. Library boards are instructed to take such steps as they deem appropriate to implement the policies, which may include the use of filtering or blocking software. The Proposed amendment to the legislation requires library boards to install filtering or blocking software on computers that are accessible to children. The software is intended to block access to child pornography as set out in §18.2-374.1C1, obscenity as defined in §18.2-372 and materials deemed harmful to juveniles as defined in §18.2-390.

6. Fiscal Impact Estimates are not available (see item 8).

7. Budget amendment necessary: No.

8. Fiscal implications: The American Library Association has filed a lawsuit on behalf of schools and public libraries challenging provisions of the Children's Internet Protection Act, which requires schools and public libraries to install Internet blocking software if they receive federal funding for their Internet access or computers. The lawsuit raises issues that may be germane to the proposed legislation. It is likely that additional litigation will be filed, on the national and local level, challenging attempts to limit Internet access in libraries. The costs of responding to such lawsuits cannot be determined at this time. Localities would most likely be responsible for such costs. The screening software that would be required by local libraries in order to comply with the legislation costs \$50 per license. The Library of Virginia estimates that it would cost localities up to \$286,000 in total to equip the computers purchased over the last two years with this software.

9. Specific agency or political subdivisions affected:

The Library of Virginia and all localities with public libraries.

10. Technical amendment necessary: None.

11. Other comments: None.

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cc: Secretary of Education