

Department of Planning and Budget 2004 Fiscal Impact Statement

1. Bill Number HB475

House of Origin	<input checked="" type="checkbox"/> Introduced	<input type="checkbox"/> Substitute	<input type="checkbox"/> Engrossed
Second House	<input type="checkbox"/> In Committee	<input type="checkbox"/> Substitute	<input type="checkbox"/> Enrolled

2. Patron Nixon

3. Committee General Laws

4. Title Technology protection measures; 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 select and 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 final. See item 8.

7. Budget amendment necessary: No.

8. Fiscal implications: Local public libraries will have to purchase and install internet filtering and blocking software on their public-access computers. The statewide cost is estimated at \$135,000 every three years, and \$94,500 in the two intervening years. This estimate is based on software costs of \$50 per copy initially, and \$35 per copy for upgrades in each of the two succeeding years. It is anticipated that new software will be required every three years to keep up with changes in technology. The Library of Virginia and the local libraries will have to absorb administrative costs related to monitoring the computers, changing the settings for minor and adult users, and installing and maintaining the software. These administrative costs have not been quantified and are not included in these estimates.

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: This bill is similar to HB189 with two notable exceptions. HB189 provides that the software shall be disabled for adult users, and that the Librarian of Virginia must certify that that a technology exists that complies with the requirements of the bill without violating the constitutional principles enunciated by the Supreme Courts of Virginia and the United States.

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cc: Secretary of Education