

Department of Planning and Budget
2004 Fiscal Impact Statement

1. Bill Number HB 663

House of Origin ☐ Introduced ☐ Substitute ☐ Engrossed

Second House ☐ In Committee ☐ Substitute ☒ Enrolled

2. Patron Bell

3. Committee Passed both houses

4. Title Unlawful filming or photographing of another

5. Summary/Purpose:

Currently, it is a Class 1 misdemeanor to videotape, photograph, or film a person who is nude, partially nude, or clad only in undergarments without that person's permission and under circumstances in which the person would have had a reasonable expectation of privacy. The proposed legislation would make the offense a Class 6 felony if the nonconsenting person were under the age of 18.

6. Fiscal Impact Estimates are: Final. See Item 8.

7. Budget amendment necessary: None.

8. Fiscal implications:

By elevating a misdemeanor offense to a felony, the legislation may increase the number of persons committed to the state's correctional facilities. However, because the available data is not sufficient to enable it to project the number of these offenses, if any, that might involve victims under 18 years old, the Virginia Criminal Sentencing Commission has concluded that the impact of this legislation cannot be determined.

9. Specific agency or political subdivisions affected: Department of Corrections

10. Technical amendment necessary: None.

11. Other comments: None.

Date: 03/29/04 / rwh

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cc: Secretary of Finance