

Department of Planning and Budget 2007 Fiscal Impact Statement

1. **Bill Number** SB 1393ES2

House of Origin ☐ Introduced ☒ Substitute ☒ Engrossed

Second House ☒ In Committee ☐ Substitute ☐ Enrolled

2. **Patron** Stosch

3. **Committee**

4. **Title** Technology protection measures; public libraries.

5. **Summary/Purpose:** Requires the library board or governing body of a local library that receives state funding for any purpose to include in its acceptable use policy for the Internet provisions on selecting and installing on those computers that have Internet access and that are accessible to the public a technology protection measure to filter or block Internet access through such computers to child pornography as set out in § 18.2-374.1:1, obscenity as defined in § 18.2-372, and, with respect to minors, materials deemed harmful to juveniles as defined in § 18.2-390. The bill also requires the policy to include a provision for disabling the technology protection measure at the request of a patron in instances of bona fide research or other lawful purposes. In addition, the bill provides that no state funding shall be withheld if the technology protection measure fails due to no fault of the library board or the governing body, provided that such library board or governing body promptly has taken reasonable steps to rectify the failure and to prevent such failures in the future.

6. **Fiscal Impact Estimates are:** Final.

6a. Expenditure Impact:

<i>Fiscal Year</i>	<i>Dollars</i>	<i>Fund</i>
2007-08	\$190,000	General Fund
2008-09	\$133,000	General Fund
2009-10	\$133,000	General Fund
2010-11	\$190,000	General Fund
2011-12	\$133,000	General Fund
2012-13	\$133,000	General Fund

7. **Budget amendment necessary:** Yes, Item 236, should state funding be included in the Library of Virginia's budget to support the State Formula for Aid for Local Public Libraries.

8. **Fiscal implications:** Funding for this project would provide the necessary computer software for blocking and filtering of Internet sites as required by this legislation and the required software upgrades. The funding would have to be provided by the state under the State Formula for Aid for Local Public Libraries or absorbed by the locality.

9. Specific agency or political subdivisions affected: Library of Virginia; all local library systems receiving funding from the Commonwealth.

10. Technical amendment necessary: No.

11. Other comments: Software costs estimates were provided by the Library of Virginia. Software would likely need to be upgraded every three years. Companion bill is HB2197.

Date: 2/6/07/RSA

C: Secretary of Education