

Department of Planning and Budget 2009 Fiscal Impact Statement

1. Bill Number: SB1009

House of Origin	<u> X </u>	Introduced	<u> </u>	Substitute	<u> </u>	Engrossed
Second House	<u> </u>	In Committee	<u> </u>	Substitute	<u> </u>	Enrolled

2. Patron: Deeds

3. Committee: Courts of Justice

4. Title: Search warrants executed upon electronic communication service providers or remote computing service

5. Summary: Provides that a search warrant for records or other information pertaining to a subscriber to, or customer of, an electronic communication service or remote computing service that is transacting or has transacted any business in the Commonwealth, including the contents of electronic communications, may be served upon such a provider within or without the Commonwealth by mail, facsimile, or other electronic means. Currently, there is no provision for service of such a warrant outside the Commonwealth nor is there a specific provision allowing for mail, fax or electronic service. Additionally, under current law, electronic communications are expressly excluded from the coverage of the warrant.

6. Fiscal Impact Estimates: Preliminary.

7. Budget Amendment Necessary: No.

8. Fiscal Implications: According to the Department of State Police, the proposed legislation is not expected to have a fiscal impact.

9. Specific Agency or Political Subdivisions Affected: Department of State Police, local law enforcement agencies statewide.

10. Technical Amendment Necessary: No.

11. Other Comments: None.

Date: 1/20/2009 dpb/jgc

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cc: Department of State Police
Secretary of Public Safety
Compensation Board