

Department of Planning and Budget

2010 Fiscal Impact Statement

1. Bill Number: SB620S1

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

2. Patron: Deeds, R.

3. Committee: House Appropriations

4. Title: Fee for Internet Crimes Against Children

5. Summary: Creates the Internet Crimes Against Children (ICAC) Fund. Revenues supporting the Fund consist of a \$10 additional fee on each felony and misdemeanor conviction. The Fund's proceeds are to be distributed among several programs addressing internet crimes against children.

6. Fiscal Impact Estimates: Indeterminate (see Item 8)

7. Budget Amendment Necessary: No

8. Fiscal Implications:

This legislation would implement an additional \$10 court fee on each felony or misdemeanor conviction to support the Internet Crimes Against Children Fund. While this may require some programming changes to the courts automated Financial Management System, the scope of the changes are not expected to require additional resources.

According to the Virginia Criminal Sentencing Commission, there were 49,912 known felony convictions and 400,547 known misdemeanor convictions in Virginia's courts in FY2009. This figure does not take into account the convictions in some Northern Virginia localities such as Prince William, Alexandria, and Fairfax who do not participate in the Supreme Court's circuit court data system. Assuming the conviction rate remains constant going forward, this legislation could result in more than \$4.5 million in revenue for the Internet Crimes Against Children Fund.

It is not possible, though, to estimate the actual annual revenues that might be collected as many individuals are unable to pay the fees or do so over an extended period of time (i.e., some of the assessed fees are never collected).

9. Specific Agency or Political Subdivisions Affected: Courts, State Police, Department of Criminal Justice Services (DCJS) and the Department of Social Services

10. Technical Amendment Necessary: No

11. Other Comments: This legislation does not address which state agency should administer the Fund. Presently, DCJS serves as the fiscal agent in the distribution of state and federal funding for ICAC. Consideration should be given to doing the same for this new Fund.

Date: 2/24/2010

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