

**Department of Planning and Budget
2010 Fiscal Impact Statement**

1. Bill Number: HB685

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

2. Patron: Miller, J.H.

3. Committee: Courts of Justice

4. Title: Solicitation, possession or production of child pornography by a minor.

5. Summary: Provides that a minor who, upon the facts, could be found guilty of a first offense of possession, production, publication or solicitation of child pornography, may have his case deferred and dismissed by the court. The offense is separate and distinct; if the acts or activities violating this law also violate another provision of law, a prosecution under this law shall not prohibit or bar any prosecution or proceeding under such other provision. The penalty for violation is a Class 3 misdemeanor.

6. Fiscal Impact Estimates: Preliminary; See Item 8 below.

7. Budget Amendment Necessary: No.

8. Fiscal Implications: According to the Department of Juvenile Justice, the fiscal impact of the proposed legislation cannot be determined since the number of juveniles found guilty under this legislation cannot be estimated. The department noted that it is probable that their number of juveniles on probation would increase, as would the amount paid in fees by those juveniles found guilty. It also noted that juvenile correctional center bed space would not be impacted since the juvenile, if found guilty, would be a "delinquent child" and could be placed on probation for the offense, but not committed to the department.

9. Specific Agency or Political Subdivisions Affected: Department of Juvenile Justice

10. Technical Amendment Necessary: No.

11. Other Comments: None.

Date: 1/28/2010 dpb/John Crooks

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