Department of Planning and Budget
2014 Fiscal Impact Statement

1. **Bill Number:** HB326-H1

House of Origin	☐ Introduced	☐ Substitute	☒ Engrossed
Second House	☐ In Committee	☐ Substitute	☐ Enrolled

2. **Patron:** Bell, Robert B.

3. **Committee:** Courts of Justice

4. **Title:** Unlawful dissemination or sale of images of another.

5. **Summary:** Provides that a person is guilty of a Class 1 misdemeanor if the person, with the intent to coerce, harass, or intimidate the depicted person, maliciously disseminates or sells any videotape, photograph, film, or other videographic or still image or reproduction thereof that depicts another person who is totally nude, in a state of undress, or engaged in sexual conduct where such person knows or has reason to know that he is not licensed or authorized to do so.

6. **Budget Amendment Necessary**: No.

7. **Fiscal Impact Estimates:** Preliminary; See Item 8 below.

8. **Fiscal Implications:** Although insufficient data exists to determine the fiscal impact due to this proposal, the proposed legislation could result in an increase in the jail population since Class 1 misdemeanor outcomes result in sentences of up to 12 months in jail (and a fine up to $2,500). Any increase in jail population will increase costs to the state. The Commonwealth presently pays the localities $4.00 a day for each misdemeanant or otherwise local responsible prisoner held in a jail. It also funds most of the jails' operating costs, e.g. correctional officers. The state's share of these costs on a per prisoner, per day basis varies from locality to locality. However, according to the Compensation Board's FY2012 Jail Cost Report (November 1, 2013), the estimated total state support for local and regional jails averaged $30.06 per state inmate, per day in FY 2012.

9. **Specific Agency or Political Subdivisions Affected:** Local and regional jails, and the State Compensation Board.

10. **Technical Amendment Necessary:** No.

11. **Other Comments:** None.

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