

Department of Planning and Budget

2014 Fiscal Impact Statement

1. Bill Number: SB262

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

2. Patron: Deeds

3. Committee: Senate Committee for Courts of Justice

4. Title: Internet Crimes Against Children Fund; fee; Governor's Child Safety Test

5. Summary: Increases from \$10 to \$15 the additional fee placed upon each felony or misdemeanor conviction assessed as court costs and deposited into the state treasury and credited to the Internet Crimes Against Children (ICAC) Fund. The bill changes the amounts of the funds disbursed for specific programs. The bill permits each local school board to include as part of the program of physical fitness made available to all students the Governor's Child Safety Test, a program of instruction that will consist of at least eight hours of instruction per year on how to recognize, avoid, resist, and escape physical, sexual, and online threats and will result in a certificate signed by the Governor upon successful completion of the program.

6. Budget Amendment Necessary: No

7. Fiscal Impact Estimates: Preliminary (see Item #8)

8. Fiscal Implications: The proposed legislation would increase the ICAC fund fee from \$10 to \$15 to allow for the development and implementation of the Governor's Child Safety Test curriculum and for the grant funding of positions with local ICAC affiliate agencies.

In FY 2013, the ICAC Fund received approximately \$2.1 million in revenue collections, down from \$2.3 million in FY 2012. Assuming the number and types of convictions remains stable at 2013 levels, it is estimated that the proposed fee increase could generate approximately \$3.1 million in total revenues in FY2015 for the ICAC fund. In accordance with the proposed legislation language, \$3.1 million would likely be distributed as follows:

State Agency	Percentage/Portion expected to be received	Amount expected to be received	Purpose
Virginia State Police	Flat \$250,000 appropriation	\$250,000	Maintain Child Pornography Images registry
Virginia State Police	33.3333%	\$950,000	Support Northern Virginia ICAC program
Department of Criminal Justice Services	33.3333%	\$950,000	Support Southern Virginia ICAC program
Department of Criminal Justice Services	25%	\$713,000	Support grants for local ICAC affiliate agencies
Department of Education	4.7777%	\$135,000	Implement Governor's Child Safety Test curriculum
Department of Social Services	3.5555%	\$102,000	Support Virginia Child Protection Accountability System

The Department of Education (DOE) would incur expenses in FY 2015 to develop the curriculum to be used by local school divisions. Based on the new fee increase and the assumptions shown in the table above, DOE would have approximately \$135,000 to cover the cost of the new curriculum.

Based on the assumptions above, the other agencies receiving funding through the ICAC fund would receive additional revenue from the fee increase, except for the Department of Social Services, which would lose roughly \$13,000 per year in support for the Virginia Child Protection Accountability System.

- 9. Specific Agency or Political Subdivisions Affected:** Local school divisions, Department of Criminal Justices Services, Virginia State Police

- 10. Technical Amendment Necessary:** No

- 11. Other Comments:** The proposed legislation requires the Department of Criminal Justice Services (DCJS) to make grants to fund full-time and part-time positions in local affiliate agencies. It is uncertain whether or not sufficient funds will be generated by this legislation to make and sustain grants in every locality. Previously, DCJS made grants to fund positions in un-served localities. However, due to insufficient funds to make and sustain grants to every un-served locality, the agency opted to instead issue competitive grants limited to 4 years. After the initial 4 year period, the localities assumed the cost of the ICAC position.

Currently, the agency provides grants to the two established ICAC programs operating in Virginia to leverage these organizations expertise and resources to ensure all localities in Virginia have access to ICAC services.

Similar to HB965