

## **Department of Planning and Budget 2015 Fiscal Impact Statement**

**1. Bill Number: SB 709**

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

**2. Patron: Edwards**

**3. Committee: House Courts of Justice**

**4. Title: Creation of unlawful images**

**5. Summary:**

It is unlawful to take a photograph or other image of someone without that person's consent if the person being photographed is nude, clad in undergarments, or is partially dressed. The prohibition also includes taking photographs or images up someone's dress.

For the purpose of venue, the proposed legislation would provide that the offense shall be considered to have been committed in any county or city:

- In which any act was performed in furtherance of any course of conduct that violated the statute;
- In which the owner has his principal place of business in the Commonwealth;
- In which any offender had control or possession of any proceeds of the violation or of any books, records, documents, property, financial instrument, computer software, computer program, computer data, or other material or objects that were used in furtherance of the violation;
- From which, to which, or through which any access to a computer or computer network was made whether by wires, electromagnetic waves, microwaves, optics or any other means of communication;
- In which the offender resides; or
- In which any computer that is an object or an instrument of the violation is located at the time of the alleged offense.

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

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

**8. Fiscal Implications:**

It is not expected that the proposed legislation will have any fiscal impact.

**9. Specific Agency or Political Subdivisions Affected:**

General district courts  
Circuit courts  
Commonwealth's attorneys

**10. Technical Amendment Necessary:** None.

**11. Other Comments:** None.

**Date:** 2/12/2015

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