Department of Planning and Budget
2020 Fiscal Impact Statement

1. **Bill Number:** SB378ER

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

2. **Patron:** Bell, J. J.

3. **Committee:** Passed both houses

4. **Title:** Computer trespass; expands the crime.

5. **Summary:** The bill amends §18.2-152.4 (computer trespass) to include acts committed through intentionally deceptive means and without authority to commit certain acts related to computer trespass. Currently it is a Class 1 misdemeanor for violation of this section, unless the affected computer is exclusively for the use of, or exclusively used by or for, (i) the Commonwealth or any local government within the Commonwealth or any department or agency thereof or (ii) a provider of telephone, including wireless or voice over Internet protocol, oil, electric, gas, sewer, wastewater, or water service to the public is guilty of a Class 6 felony.

   The legislation provides that if the damage to the property is valued at $1,000 or more, or if the act was done with malicious intent, or if the person installs or causes to be installed on more than five computers a software with malicious intent the offense is Class 6 felony. The bill provides certain exemptions.

6. **Budget Amendment Necessary**: No

7. **Fiscal Impact Estimates:** Final (see Item 8 below).

8. **Fiscal Implications:** According to the Virginia Criminal Sentencing Commission (VCSC), data are insufficient to determine the number of computer trespass incidents that would occur as a result of the proposed legislation. Therefore, pursuant to § 30-19.1:4, the estimated amount of the necessary appropriation is $0 for periods of imprisonment in state adult and local correctional facilities.

   The impact on the Department of Juvenile Justice cannot be determined at this time.

9. **Specific Agency or Political Subdivisions Affected:** None

10. **Technical Amendment Necessary:** No

11. **Other Comments:** None