

## Department of Planning and Budget 2020 Fiscal Impact Statement

**1. Bill Number:** SB440

**House of Origin**     Introduced       Substitute       Engrossed  
**Second House**     In Committee     Substitute       Enrolled

**2. Patron:**      Surovell, S. A.

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

**4. Title:**      Electronic transmission of sexually explicit visual material by minors; penalties.

**5. Summary:** The bill provides that any minor who knowingly transmits, distributes, publishes, or disseminates to another minor an electronically transmitted communication containing sexually explicit visual material of his own person is guilty of a Class 2 misdemeanor. Additionally, a minor who knowingly possesses at least one but not more than 10 electronically transmitted communications containing sexually explicit visual material of another minor is guilty of a Class 2 misdemeanor.

A minor who violates these provisions would be required to participate in certain treatment programs and perform a mandatory minimum of 50 hours of community service, or subject to other conditions to include the completion of a community-based program that addresses the consequences of transmitting, distributing, publishing, or disseminating sexually explicit visual material via an electronically transmitted communication and the restricted use of the Internet or computer, including an electronic communication device.

For any minor who has not previously been convicted of an offense under this section, the court may defer further proceedings and place such minor on probation upon terms and conditions established by the court for a period not exceeding one year. Upon violation of a term or condition, the court may enter an adjudication of guilt and proceed as otherwise provided.

**6. Budget Amendment Necessary:** No

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

**8. Fiscal Implications:** According to the Department of Juvenile Justice, this bill is not expected to impact Juvenile Correctional Centers or Juvenile Detention Facilities. The provision allowing the court to assign minor to probation and community service may have an impact on probation officers. However, there is not enough information to estimate the potential impact as a result of this legislation.

**9. Specific Agency or Political Subdivisions Affected:** Department of Juvenile Justice, Juvenile Detention Facilities, law enforcement agencies, courts.

**10. Technical Amendment Necessary:** No

**11. Other Comments:** None