

# Department of Planning and Budget

## 2015 Fiscal Impact Statement

**1. Bill Number:** HB1764ER

<b>House of Origin</b>	<input type="checkbox"/> Introduced	<input type="checkbox"/> Substitute	<input type="checkbox"/> Engrossed
<b>Second House</b>	<input type="checkbox"/> In Committee	<input type="checkbox"/> Substitute	<input checked="" type="checkbox"/> Enrolled

**2. Patron:** Loupassi

**3. Committee:** Passed Both Houses

**4. Title:** Dissemination, etc., of criminal history record information; civil actions.

**5. Summary:** The legislation creates civil action relating to the dissemination, publication, or maintenance of criminal history record information. Any person who disseminates, publishes, or maintains or causes to be disseminated, published, or maintained the criminal history record information of an individual pertaining to that individual's charge or arrest for a criminal offense and solicits, requests, or accepts money or other thing of value for removing such criminal history record information is liable to the individual who is the subject of the information. In addition, such person is liable to the subject individual for actual damages or \$500, whichever is greater, in addition to reasonable attorney fees and costs.

The legislation specifies that liability is not imposed on an interactive computer service for content provided by another person or for any speech protected by Article I, Section 12 of the Constitution of Virginia.

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

**7. Fiscal Impact Estimates:** Final. See Item 8.

**8. Fiscal Implications:** The proposal has no material fiscal impact on state agencies.

**9. Specific Agency or Political Subdivisions Affected:** Department of State Police, Virginia courts.

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

**11. Other Comments:** None.

**Date:** 3/9/2015-HB1764ER.docx (LAJ)