Department of Planning and Budget
2025 General Assembly Session
State Fiscal Impact Statement

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Bill Number: SB 775 H1 **Patron:** Surovell
Bill Title: Elections; election offenses; dissemination of artificial audio or artificial visual media to influence an election; penalty.

Bill Summary: Requires disclosure from the person disseminating artificial audio or artificial visual media, as defined in the bill. The bill provides provisions under § 24.2-961 that stipulate requirements a sponsor must follow when disseminating artificial audio or visual media. Any sponsor violating Article 7 (§ 24.2-961) shall be subject to a civil penalty not to exceed $25,000. In the case of a willful violation, he is guilty of a Class 1 misdemeanor. In no event shall the total civil penalties imposed for multiple broadcasts of one particular electioneering communication exceed $25,000.

Budget Amendment Necessary: No **Items Impacted:** N/A
Explanation: No

Fiscal Summary: There is an indeterminate state fiscal impact due to the provisions of this bill. The bill stipulates that any person who knowingly violates the provisions of § 24.2-961 is guilty of a Class 1 misdemeanor.

Fiscal Analysis: There is an indeterminate state fiscal impact due to the provisions of this bill. The bill establishes a Class 1 misdemeanor and a maximum $25,000 civil penalty under § 24.2-955.3. A person who unknowingly disseminates artificial audio or video can be charged with a civil penalty, but it may not exceed the $25,0000 limit. A person convicted of a Class 1 misdemeanor could face up to 12 months in jail, a fine of up to $2,500, or both. There is not enough information available to reliably estimate the increase in jail population as a result of this proposal. However, any increase in jail population will increase costs to the state. The Commonwealth currently pays localities $5.00 a day for each misdemeanant or otherwise local-responsible prisoner held in a jail. It also funds a large portion of the jails' operating costs, e.g., correctional officers. The state's share of these costs on a per prisoner, per day basis varies from locality to locality. However, according to the Compensation Board's most recent Jail Cost Report (November 2024), the estimated total state support for local jails averaged $56.38 per inmate, per day in FY 2023.

Other: N/A