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

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Bill Number: SB 775 ER **Patron:** Surovell
Bill Title: Political campaign advertisements; synthetic media, penalty.

Bill Summary: Prohibits electioneering communications containing synthetic media, as those terms are defined in the bill, from being published or broadcast without containing the following conspicuously displayed statement: "This message contains synthetic media that has been altered from its original source or artificially generated and may present conduct or speech that did not occur." The bill creates a civil penalty not to exceed $25,000 for a violation of such prohibition and, for a willful violation, a Class 1 misdemeanor. The bill permits any registered voter who receives an electioneering communication in violation of this requirement to institute an action for preventative relief to prohibit the publication or dissemination of such electioneering communication, including an application for a permanent or temporary injunction. This bill is identical to HB 2479.

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

Fiscal Summary: There is an indeterminate state fiscal impact as a result of this bill. The provisions of the bill establish a Class 1 misdemeanor.

Fiscal Analysis: There is an indeterminate state fiscal impact as a result of the provisions of this bill. Pursuant to § 24.2-961, a Class 1 misdemeanor is established for the willful violation of electioneering communications. Anyone convicted of a Class 1 misdemeanor is subject to a sentence of up to 12 months in jail and a fine of not more than $2,500, either or both. Those found guilty of violating § 24.2-961 unwillingly will be subject to a civil penalty not to exceed $25,000.

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: Exact same legislation to HB 2479.