

OFFICE OF FISCAL ANALYSIS

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sHB-5421

AN ACT CONCERNING UNLAWFUL DISSEMINATION OF
INTIMATE IMAGES THAT ARE DIGITALLY ALTERED OR
CREATED THROUGH THE USE OF ARTIFICIAL INTELLIGENCE.

OFA Fiscal Note

State Impact:

Agency Affected	Fund-Effect	FY 25 \$	FY 26 \$
Judicial Dept. (Probation); Correction, Dept.	GF - Potential Cost	Minimal	Minimal
Resources of the General Fund	GF - Potential Revenue Gain	Minimal	Minimal

Note: GF=General Fund

Municipal Impact: None

Explanation

The bill creates a class A misdemeanor and a class D felony for unlawfully dissemination certain images, which results in a potential cost to the Department of Correction and the Judicial Department for incarceration or probation and a potential revenue gain to the General Fund from fines.¹ On average, the marginal cost to the state for incarcerating an offender for the year is \$3,300² while the average marginal cost for supervision in the community is less than \$800³ each

¹In FY 23, there were 42 offenses recorded for existing similar charges; there was \$500 collected for associated fines.

²Inmate marginal cost is based on increased consumables (e.g., food, clothing, water, sewage, living supplies, etc.). This does not include a change in staffing costs or utility expenses because these would only be realized if a unit or facility opened.

³Probation marginal cost is based on services provided by private providers and only includes costs that increase with each additional participant. This does not include a cost for additional supervision by a probation officer unless a new offense is anticipated to result in enough additional offenders to require additional probation officers.

Primary Analyst: BP
Contributing Analyst(s):
Reviewer: PR

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year for adults and \$1,000 each year for juveniles.

The Out Years

The annualized ongoing fiscal impact identified above would continue into the future subject to the actual number of violations.