



**Fiscal Note**  
**S.B. 104 4th Sub. (Pumpkin)**

2024 General Session  
 Children's Device Protection Act  
 by Weiler, T. (Pulsipher, Susan.)



**General, Income Tax, and Uniform School Funds**

JR4-4-101

|                            | Ongoing     | One-time | Total       |
|----------------------------|-------------|----------|-------------|
| Net GF/ITF/USF (rev.-exp.) | \$(402,000) | \$0      | \$(402,000) |

**State Government**

UCA 36-12-13(2)(c)

| Revenues                  | FY 2024    | FY 2025          | FY 2026          |
|---------------------------|------------|------------------|------------------|
| Dedicated Credits Revenue | \$0        | \$288,000        | \$288,000        |
| <b>Total Revenues</b>     | <b>\$0</b> | <b>\$288,000</b> | <b>\$288,000</b> |

To the extent that someone, other than the parent or legal guardian of a minor in possession of a device, is convicted of disabling the filter for the purpose of disseminating pornography to a minor and pay their financial obligation, this could increase state revenue up to \$2,500 per class A misdemeanor case, or \$5,000 per third degree felony case. Enactment of this legislation could also increase dedicated credits to the Attorney General's Office by \$288,000 ongoing beginning in FY 2025 to hire an additional attorney.

| Expenditures              | FY 2024    | FY 2025          | FY 2026          |
|---------------------------|------------|------------------|------------------|
| General Fund              | \$0        | \$402,000        | \$402,000        |
| Dedicated Credits Revenue | \$0        | \$288,000        | \$288,000        |
| <b>Total Expenditures</b> | <b>\$0</b> | <b>\$690,000</b> | <b>\$690,000</b> |

To the extent that a case is filed in district court as a result of the charges in this legislation, enactment of this legislation could cost the Courts \$420 from the General Fund per class A misdemeanor case or \$790 per third degree felony case. To the extent that offenders are sentenced to prison or probation it could cost the Department of Corrections \$120 per day per offender and \$12 per day per offender for supervision. It could also cost the Board of Pardons and Parole \$430 per hearing. Enactment of this legislation could also cost the Department of Commerce \$288,000 ongoing General Fund beginning in FY 2025 to pay the Attorney General's Office for increased representation costs due to the increased need for prosecution outlined in this bill. This amount would be reflected in dedicated credit spending in the Attorney General's Office. Enactment of this legislation could also cost the Attorney General's Office \$114,000 ongoing General Fund beginning in FY 2025 to hire a technologist to help ensure compliance with this bill.

|                      | FY 2024 | FY 2025     | FY 2026     |
|----------------------|---------|-------------|-------------|
| <b>Net All Funds</b> | \$0     | \$(402,000) | \$(402,000) |

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**Local Government**

UCA 36-12-13(2)(c)

Enactment of this legislation could increase revenue to local governments by about \$380 per class A misdemeanor for fines/fees, and could increase costs by about \$3,410 per case, plus potential jail costs. Enactment could increase costs to local governments by about \$4,810 per third degree felony case.

**Individuals & Businesses**

UCA 36-12-13(2)(c)

To the extent that individuals violate provisions of this legislation, this could cost certain offenders up to \$2,500 per class A misdemeanor case, or up to \$5,000 per third degree felony case. Certain individuals could also be civilly liable with fines of \$5,000 per violation up to \$50,000 in aggregate, however the total amount is unknown.

**Regulatory Impact**

UCA 36-12-13(2)(d)

Enactment of this legislation could result in a medium increase in the regulatory burden for Utah residents or businesses.

**Performance Evaluation**

JR1-4-601

This bill does not create a new program or significantly expand an existing program.

**Notes on Notes**

Fiscal notes estimate the direct costs or revenues of enacting a bill. The Legislature uses them to balance the budget. They do not measure a bill's benefits or non-fiscal impacts like opportunity costs, wait times, or inconvenience. A fiscal note is not an appropriation. The Legislature decides appropriations separately.