



LEGISLATIVE FISCAL OFFICE
Fiscal Note

Fiscal Note On: **SB 131** SLS 22RS 72
 Bill Text Version: **ORIGINAL**
 Opp. Chamb. Action:
 Proposed Amd.:
 Sub. Bill For.:

Date: April 14, 2022 9:01 AM	Author: MIZELL
Dept./Agy.: Higher Education	
Subject: Prohibits access to sexually explicit content	Analyst: Tim Mathis

POSTSECONDARY ED OR INCREASE GF EX See Note Page 1 of 2

Requires public postsecondary education boards and institutions to prohibit access to content which is sexually explicit, pornographic, or sexually harassing. (gov siq)

Proposed law requires the Board of Regents and each public postsecondary education management board to adopt policies regarding the acceptable use of computers owned or leased, and internet services provided by or through each board, system office, and institution under its control, including prohibiting the use to access content reasonably believed to be sexually explicit, pornographic, or sexually harassing, and reasonably believed to create a hostile work environment as prohibited by federal law. Requires the Board of Regents, each public postsecondary education management board and institution to utilize computer-related technology to block access or exposure to any prohibited material. Authorizes employees or students to have unfiltered or unrestricted access to the internet for legitimate scientific, educational, or law enforcement purposes. Clarifies that a public postsecondary employee or student shall not be restricted from having unrestricted access to the internet on a computer or device that is not owned by the board or institution, provided that the device is not used to access prohibited material through an internet service provided by the institution.

EXPENDITURES	2022-23	2023-24	2024-25	2025-26	2026-27	5 -YEAR TOTAL
State Gen. Fd.	INCREASE	INCREASE	INCREASE	INCREASE	INCREASE	
Agy. Self-Gen.	INCREASE	INCREASE	INCREASE	INCREASE	INCREASE	
Ded./Other	\$0	\$0	\$0	\$0	\$0	\$0
Federal Funds	\$0	\$0	\$0	\$0	\$0	\$0
Local Funds	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	\$0
Annual Total						
REVENUES	2022-23	2023-24	2024-25	2025-26	2026-27	5 -YEAR TOTAL
State Gen. Fd.	\$0	\$0	\$0	\$0	\$0	\$0
Agy. Self-Gen.	\$0	\$0	\$0	\$0	\$0	\$0
Ded./Other	\$0	\$0	\$0	\$0	\$0	\$0
Federal Funds	\$0	\$0	\$0	\$0	\$0	\$0
Local Funds	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	\$0
Annual Total	\$0	\$0	\$0	\$0	\$0	\$0

EXPENDITURE EXPLANATION

There will be an increase in SGF and SGR expenditures for public postsecondary education institutions to purchase content filtering software for all devices owned or leased by each institution, and to modify existing firewall policy to block content based on category group or individual websites. Actual costs are indeterminable and will vary based on each institution's current capabilities and vendors.

The proposed legislation will likely have a significant impact on SGF and SGR expenditures for postsecondary education institutions and the Board of Regents (BOR). The degree will be dependent upon the interpretation of the requirement to prohibit the use of provided internet services to access content. To the extent institutions would be required to actively moderate and block access to sexually explicit or harassing content on websites that are not categorized as pornographic, hate speech, or otherwise explicit, costs will be significant. For illustrative purposes, the LA State University (LSU) system estimates at least \$5 M to purchase software and increased workload would result to conduct content inspection and network filtering for all network traffic.

The Board of Regents (BOR), including the Office of Student Financial Assistance (OSFA) and the LA Universities Marine Consortium for Research and Evaluation (LUMCON) estimates \$199,000 SGF will be needed to implement the proposed legislation in FY 23. Estimated costs include \$18,000 to purchase endpoint protection software for all laptops, desktops, and virtual machines; \$125,000 for three-year subscription for hardware and network filtering software; \$50,000 for content software and licensure; and \$6,000 annual subscription cost for updating the filtering list. Annual costs will be greater every one out of three years to purchase the subscription service.

EXPENDITURE EXPLANATION CONTINUED ON PAGE TWO

REVENUE EXPLANATION

There is no anticipated direct material effect on governmental revenues as a result of this measure.

Senate Dual Referral Rules
 13.5.1 >= \$100,000 Annual Fiscal Cost {S & H}
 13.5.2 >= \$500,000 Annual Tax or Fee Change {S & H}

House
 6.8(F)(1) >= \$100,000 SGF Fiscal Cost {H & S}
 6.8(G) >= \$500,000 Tax or Fee Increase or a Net Fee Decrease {S}

Evan Brasseaux

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 Interim Deputy Fiscal Officer



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CONTINUED EXPLANATION from page one:

EXPENDITURE EXPLANATION CONTINUED FROM PAGE ONE

Public postsecondary education institutions will need to purchase and install software on all computers and devices owned and leased by each institution to control access to content when both on and off the campus network. Costs are indeterminable; however, assuming a \$50 annual subscription service for URL filtering, per an average of two devices (computers, laptops, phones, tablets, etc.) for the 25,244 employees at all higher education systems statewide would total more than \$2.5 M. Institutions will experience increased workload to install the software on all devices, as well as additional costs for any devices leased to students.

Institutions may experience increased workload costs to the extent additional personnel are needed to process and review requests for unfiltered or unrestricted access to the internet for purposes allowed under the proposed law; however, this is indeterminable.

To the extent the legislation would only require postsecondary education institutions to filter prohibited content by URL, there will be reduced SGF and SGR costs; however, this is indeterminable. The LA Community and Technical College System (LCTCS) anticipates little to no additional costs to modify its current policy to block content based on category group. However, it is unknown to what extent blocking content based on categories will comply with the requirements of the proposed legislation.

Senate Dual Referral Rules
 13.5.1 >= \$100,000 Annual Fiscal Cost {S & H}
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