



CONGRESSIONAL BUDGET OFFICE COST ESTIMATE

July 1, 2010

H.R. 5566 **Prevention of Interstate Commerce in Animal Crush Videos Act of 2010**

As ordered reported by the House Committee on the Judiciary on June 23, 2010

CBO estimates that implementing H.R. 5566 would have no significant cost to the federal government. The legislation could affect direct spending and revenues, so pay-as-you-go procedures would apply, but we estimate that any such effects would not be significant.

H.R. 5566 would modify the current laws that prohibit the sale of certain videos or other items that depict animal cruelty. Thus, the government might be able to pursue cases that it otherwise would not be able to prosecute. CBO expects that H.R. 5566 would apply to a relatively small number of offenders, however, so any increase in costs for law enforcement, court proceedings, or prison operations would not be significant. Any such costs would be subject to the availability of appropriated funds.

Because those prosecuted and convicted under H.R. 5566 could be subject to criminal fines, the federal government might collect additional amounts if the legislation is enacted. Criminal fines are recorded as revenues, deposited in the Crime Victims Fund, and later spent. CBO estimates that any additional revenues and direct spending would not be significant because of the small number of cases likely to be affected.

H.R. 5566 contains no intergovernmental mandates as defined in the Unfunded Mandate Reform Act (UMRA) and would impose no costs on state, local, or tribal governments. By prohibiting the sale or distribution of photographs, videos, or other electronic images that depict individuals conducting illegal acts of cruelty against animals, the bill would impose a private-sector mandate as defined in UMRA on entities involved in such sales. Creating, owning, or possessing videos depicting animal cruelty with the intent to sell them was prohibited by law until April 2010 when the Supreme Court overturned the 1999 law banning those activities. Before the ban was enacted in 1999, an investigation by the Humane Society of the United States found that such videos sold for up to \$400 each on the Internet. Because of the small volume of commercial sales that would be affected by this legislation, CBO estimates that the aggregate cost of the mandate would fall below the annual threshold established in UMRA for the private sector (\$141 million, in 2010, adjusted annually for inflation).

The CBO staff contacts for this estimate are Mark Grabowicz (for federal costs) and Marin Randall (for the private-sector impact). The estimate was approved by Peter H. Fontaine, Assistant Director for Budget Analysis.