

S. 412, SHIELD Act of 2023

As reported by the Senate Committee on the Judiciary on May 17, 2023

By Fiscal Year, Millions of Dollars	2023	2023-2028	2023-2033
Direct Spending (Outlays)	0	*	*
Revenues	0	*	*
Increase or Decrease (-) in the Deficit	0	*	*
Spending Subject to Appropriation (Outlays)	0	0	not estimated
Increases <i>net direct spending</i> in any of the four consecutive 10-year periods beginning in 2034?	< \$2.5 billion	Statutory pay-as-you-go procedures apply?	Yes
		Mandate Effects	
Increases <i>on-budget deficits</i> in any of the four consecutive 10-year periods beginning in 2034?	No	Contains intergovernmental mandate?	No
		Contains private-sector mandate?	No
* = between -\$500,000 and \$500,000.			

S. 412 would create new criminal penalties for the interstate or foreign distribution or threatened distribution of intimate images of a person without their consent (commonly referred to as nonconsensual pornography). Under current law, a person whose intimate image was shared without his or her consent can file a civil suit in federal court for damages against the person who distributed it. The bill also would expand the definition of what constitutes an intimate image of a minor and thus create new criminal penalties for distributing such images.

Based on information from subject matter experts and an analysis of data for similar offenses from the U.S. Sentencing Commission, CBO estimates that a small number of people would pay criminal fines under the bill. Criminal fines are recorded as revenues, deposited into the Crime Victims Fund, and spent without further appropriation. As a result, CBO estimates that enacting S. 412 would increase revenues and direct spending by less than \$500,000 over the 2024-2033 period.

See also

[CBO's Cost Estimates Explained](#), [CBO Describes Its Cost-Estimating Process](#), [Glossary](#)



The CBO staff contact for this estimate is Jeremy Crimm. The estimate was reviewed by H. Samuel Papenfuss, Deputy Director of Budget Analysis.

A handwritten signature in black ink, appearing to read "Phillip L. Swagel".

Phillip L. Swagel
Director, Congressional Budget Office