

**LEGISLATIVE BUDGET BOARD**  
**Austin, Texas**

**FISCAL NOTE, 78TH LEGISLATIVE REGULAR SESSION**

**May 8, 2003**

**TO:** Honorable John Whitmire, Chair, Senate Committee on Criminal Justice

**FROM:** John Keel, Director, Legislative Budget Board

**IN RE: SB1092** by Shapiro (Relating to evidence offered in the prosecution of the offense of child pornography.), **Committee Report 1st House, Substituted**

**No significant fiscal implication to the State is anticipated.**

The bill would amend the Penal Code by allowing a defendant being prosecuted for the offense of child pornography to offer evidence to establish that the material depicts a person 18 years or age or older at the time the image of the person was made only if the attorney representing the defendant provides notice of that intention to the court and the attorney representing the state not later than the 10<sup>th</sup> day before the date on which trial on the merits commences. It is assumed that the bill would not have a significant impact on the State.

**Local Government Impact**

No significant fiscal implication to units of local government is anticipated.

**Source Agencies:**

**LBB Staff:** JK, WK, GG