

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 79TH LEGISLATIVE REGULAR SESSION

March 24, 2005

TO: Honorable Terry Keel, Chair, House Committee on Criminal Jurisprudence

FROM: John S. O'Brien, Deputy Director, Legislative Budget Board

IN RE: HB2228 by McCall (Relating to the creation of the offense of on-line sexual solicitation of a minor.), **Committee Report 1st House, Substituted**

No significant fiscal implication to the State is anticipated.

The bill would amend the Penal Code by creating the offense of on-line solicitation of a minor. The bill would make communicating in a sexually explicit manner or distributing sexually explicit material to a minor over the Internet or by electronic mail or a commercial on-line service, with the intent to arouse or gratify the sexual desire of a person, a state jail felony. The bill also would make knowingly soliciting a minor to meet another person, including the actor, for the purpose of engaging in sexual contact or sexual intercourse via the Internet or by electronic mail or a commercial on-line service an offense of the third degree. The punishment for these offenses would be enhanced to a felony of the second degree if the minor is younger than 14 years of age or is an individual who the actor believes to be younger than 14 years of age. The bill would also amend the Code of Criminal Procedure by including on-line solicitation of a minor as a reportable conviction or adjudication under the Sex Offender Registration Program. The bill would take effect September 1, 2005.

The impact of the bill would depend on the number of persons caught and convicted of the offense; however, in the increased workload and demand for resources would probably not be substantial.

Local Government Impact

No significant fiscal implication to units of local government is anticipated for enforcement, prosecution, or punishment activities associated with the offense.

Source Agencies:

LBB Staff: JOB, BT, GG, KJG