

BILL ANALYSIS

Senate Research Center
81R4562 HLT-D

S.B. 710
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Criminal Justice
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As Filed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Under current law, it is a Class A misdemeanor to employ a child under the age of 18 in a sexually oriented business. The current penalty is inadequate to address the harm such employment inflicts. Employment in a sexually oriented business puts children in physical and emotional danger. It is a second degree felony to possess and promote child pornography (Section 43.26, Penal Code). Therefore, employing children in sexually oriented businesses should also be punished as a second degree felony.

As proposed, S.B. 710 increases the penalty for employing a child in a sexually oriented business from a Class A misdemeanor to a second degree felony.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 43.251(c), Penal Code, to provide that an offense under this section is a felony of the second degree, rather than a Class A misdemeanor.

SECTION 2. Makes application of this Act prospective.

SECTION 3. Effective date: September 1, 2009.