

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 82ND LEGISLATIVE REGULAR SESSION

April 1, 2011

TO: Honorable Pete Gallego, Chair, House Committee on Criminal Jurisprudence

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

IN RE: HB36 by Menendez (Relating to the punishment for and certain civil consequences of committing the offense of prostitution.), **As Introduced**

No significant fiscal implication to the State is anticipated.

The bill would amend the Code of Criminal Procedure and the Penal Code as they relate to the punishment for and certain civil consequences of prostitution. Under the provisions of the bill, prostitution would be enhanced to a Class A misdemeanor for one or two previous convictions, a state jail felony for three or more previous convictions, a third degree felony if the person who is to receive the fee or who is solicited was younger than 17 years of age. At present, prostitution is punishable at the misdemeanor and felony level with the punishment dependent on the number of previous convictions. Under current statute, the punishment for prostitution does not take into account the age of the person solicited. The bill would also add a prostitution offense punishable as third degree felony where the person who is to receive the fee or who is solicited was younger than 17 years of age to the list of offense for which sex offender registration is required.

The bill would take effect on September 1, 2011 and apply to offenses committed on or after that date.

For this analysis, it is assumed the number of offenders convicted under this statute would not result in a significant impact on the programs and workload of state corrections agencies or on the demand for resources and services of those agencies.

Local Government Impact

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

Source Agencies:

LBB Staff: JOB, ESi, GG, LM, KKR