

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

**FISCAL NOTE, 82ND LEGISLATIVE REGULAR SESSION**

**February 28, 2011**

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

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

**IN RE: HB545** by Dutton (Relating to an affirmative defense available to certain students who engage in sexual contact with another student at least 13 years of age.), **As Introduced**

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

The bill would expand the permissible age difference to five years when making an affirmative defense to the charge Indecency with a Child if the defendant did not use force, threat, or duress and both individuals are currently enrolled in private or public school in grade nine or above.

**Local Government Impact**

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

**Source Agencies:** 665 Juvenile Probation Commission, 694 Youth Commission

**LBB Staff:** JOB, ESi, JI, DH