

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 83RD LEGISLATIVE REGULAR SESSION

March 12, 2013

TO: Honorable Abel Herrero, Chair, House Committee On Criminal Jurisprudence

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: HB32 by Menéndez (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 Penal Code as it relates to the punishment for committing the offenses of promotion of prostitution and aggravated promotion of prostitution. Under the provisions of the bill, promotion of prostitution would be enhanced from a Class A misdemeanor to a state jail felony if the actor has a previous conviction for this offense. Promotion of prostitution would be enhanced to a third degree felony if the person who provides prostitution services from which the actor receives money or other property is younger than 17 years old at the time of the offense or the actor solicits another to engage in sexual conduct with a person who is younger than 17 years old. Aggravated promotion of prostitution would be enhanced from a third degree felony to a second degree felony if any prostitute that is part of the actor's prostitution enterprise is younger than 17 years old at the time of the offense. The bill would also add the offenses of prostitution enhanced to a second or third degree felony, promotion of prostitution enhanced to a third degree felony, and aggravated promotion of prostitution enhanced to a second degree felony to the list of offenses for which sex offender registration is required. The bill would take effect on September 1, 2013, and only applies to offenses committed on or after that date.

The bill increases the penalty for the offenses of promotion of prostitution and aggravated promotion of prostitution. Increasing the penalty for any criminal offense is expected to increase demands on state and/or county correctional agency resources due to longer terms of community supervision, county jail confinement, state correctional institution confinement, and/or parole. However, in the case of the bill, it is assumed that the number of offenders supervised or incarcerated under this statute would not significantly impact state correctional agencies' workload and programs.

Local Government Impact

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

Source Agencies: 405 Department of Public Safety

LBB Staff: UP, ESi, GG, JPo