

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 83RD LEGISLATIVE REGULAR SESSION

April 14, 2013

TO: Honorable John Whitmire, Chair, Senate Committee on Criminal Justice

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: SB538 by Rodríguez (Relating to the repeal of the offense of homosexual conduct.), As
Introduced

<p>No significant fiscal implication to the State is anticipated.</p>
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The bill would amend Chapters 85 and 163 of the Health and Safety Code and repeal Section 21.06 of the Penal Code relating to the repeal of the offense of homosexual conduct. The bill would also remove the current requirement that language about homosexual conduct be included in educational materials related to HIV and other sexually transmitted diseases targeted to persons less than 18 years of age. The Department of State Health Services indicates implementation of the bill could be implemented within existing resources.

The bill would take effect immediately if a two-thirds majority vote in both houses of the Legislature is received. Otherwise, the bill would take effect on September 1, 2013.

Local Government Impact

It is currently a Class C misdemeanor to engage in same-sex sexual intercourse. A Class C misdemeanor is punishable by a fine of not more than \$500. Lost revenue from reduced fines imposed and collected is not anticipated to have a significant fiscal impact.

Source Agencies: 537 State Health Services, Department of

LBB Staff: UP, ESi, CH, NB, KKR