

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 84TH LEGISLATIVE REGULAR SESSION

May 5, 2015

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

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: **HB475** by Dutton (Relating to an affirmative defense available to certain students enrolled in grade level nine or above who engage in prohibited sexual contact with another student at or above that grade level.), **As Introduced**

<p>No significant fiscal implication to the State is anticipated.</p>
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The bill would amend the Penal Code to provide a defense to prosecution for the offenses of indecency with a child and sexual assault if the actor was not more than five years older than the victim and both persons were enrolled in school at the ninth grade level or above. Indecency with a child and sexual assault are punishable at various felony levels, depending on the circumstances of the offense. The Office of Court Administration indicates it does not anticipate a significant fiscal impact as a result of implementing the provisions of the bill. This analysis assumes the provisions of the bill would not result in a significant impact on state correctional agencies.

Local Government Impact

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

Source Agencies: 212 Office of Court Administration, Texas Judicial Council

LBB Staff: UP, KJo, LM, ESi