

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 84TH LEGISLATIVE REGULAR SESSION

April 24, 2015

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

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: **HB1363** by Johnson (relating to the prosecution of and punishment for the offense of prostitution.), **Committee Report 1st House, Substituted**

The probable fiscal impact of implementing the bill is indeterminate due to the unavailability of reliable data or information related to an actor's role in the offense of prostitution.

The bill would amend the Health and Safety Code as it relates to the essential characteristics of the first offender prostitution prevention program. The bill would also amend the Penal Code to reduce the punishment for the offense of prostitution depending on the actor's role in the encounter. Under the provisions of the bill, the punishment for the seller would be reduced from a state jail felony to a class A misdemeanor.

Reducing the penalty for any criminal offense is expected to result in decreased demands upon the correctional resources of counties or of the State due to shorter terms of supervision in the community or shorter terms of confinement state correctional institutions. The bill may have a positive fiscal impact by decreasing the number of people on felony community supervision or incarcerated within state correctional institutions. Whether the bill would result in a significant fiscal impact is indeterminate due to a lack of statewide data on the individual's role in the encounter, specifically which of these individuals served as the seller in the encounter and would therefore be eligible for the penalty reduction outlined in the bill's provisions.

Local Government Impact

The bill would modify misdemeanor offenses. Changes in costs associated with enforcement, prosecution, and confinement are not anticipated to have a significant fiscal impact. Changes in revenue from fines imposed and collected are not anticipated to have a significant fiscal impact.

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

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