

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

**FISCAL NOTE, 85TH LEGISLATIVE REGULAR SESSION**

**May 18, 2017**

**TO:** Honorable Joe Moody, Chair, House Committee on Criminal Jurisprudence

**FROM:** Ursula Parks, Director, Legislative Budget Board

**IN RE: SB2238** by Garcia (relating to certain sexual offenses and certain other offenses involving conduct of a sexual nature, including the creation of the criminal offenses of sexual coercion, indecent assault, and possession or promotion of lewd visual material depicting a child, and to certain criminal acts committed in relation to those offenses.), **Committee Report 2nd House, Substituted**

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

The bill would amend the Penal Code as it relates to the offense of sexual coercion, sexual assault, indecent assault, aggravated sexual assault, and possession or promotion of lewd visual material depicting child. Under the provisions of the bill, the offenses of sexual coercion, indecent assault, and possession or promotion of lewd visual material depicting child would be created. The bill would also expand the offenses of sexual assault and aggravated sexual assault and make nonsubstantive additions and corrections to various enacted codes.

The Office of Court Administration and Texas Department of Criminal Justice do not anticipate a significant fiscal impact.

This analysis assumes the provisions of the bill addressing felony sanctions for criminal offenses would not result in a significant impact on the demand for state correctional resources. The bill would take effect on September 1, 2017 and apply only to an offense committed on or after the effective date of the Act.

**Local Government Impact**

A class A misdemeanor is punishable by a fine of not more than \$4,000, confinement in jail for a term not to exceed one year, or both. Costs associated with enforcement, prosecution and confinement could likely be absorbed within existing resources. Revenue gain from fines imposed and collected is not anticipated to have a significant fiscal implication.

**Source Agencies:**

**LBB Staff:** UP, KJo, LM