

## **BILL ANALYSIS**

Senate Research Center  
88R13865 EAS-F

S.B. 1653  
By: Huffman  
Criminal Justice  
4/6/2023  
As Filed

### **AUTHOR'S / SPONSOR'S STATEMENT OF INTENT**

#### BACKGROUND:

- Under the promotion of prostitution statute, it is a first-degree felony if it involves a person younger than 18 years of age engaging in prostitution.
- Accordingly, a prosecutor must prove that the minor was already engaging in prostitution for a defendant to actually be charged with a first-degree felony.
- Therefore, the current law does not protect all minors from those who solicit them for prostitution.

#### BILL SUMMARY:

- S.B. 1653 amends the current promotion of prostitution statute by removing "engaging in prostitution" to ensure that the statute protects all minors.

As proposed, S.B. 1653 amends current law relating to the punishment for the offense of promotion of prostitution.

### **RULEMAKING AUTHORITY**

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Section 43.03(b), Penal Code, to provide that an offense under Section 43.03 (Promotion of Prostitution) is a felony of the first degree if the actor engages in conduct described by certain subsections involving a person younger than 18 years of age, rather than a person younger than 18 years of age engaging in prostitution, regardless of whether the actor knows the age of the person at the time of the offense.

SECTION 2. Makes application of this Act prospective.

SECTION 3. Effective date: September 1, 2023.