

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

**FISCAL NOTE, 88TH LEGISLATIVE REGULAR SESSION**

**March 30, 2023**

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

**FROM:** Jerry McGinty, Director, Legislative Budget Board

**IN RE: SB129** by Springer (Relating to the prosecution and punishment for possession or promotion of child pornography; increasing criminal penalties.), **Committee Report 1st House, Substituted**

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

The bill would increase the limitations period for indictments to be presented for the offense of possession or promotion of child pornography from three to seven years after the date of the commission of the offense. The bill would revise and increase criminal penalties for the offense of possession of child pornography based on factors including the number of visual depictions of a child possessed by the defendant; the age of the child depicted; previous convictions of the defendant for possession of child pornography; the status of the defendant as an employee of certain facilities that serve youth; and the status of the defendant as an individual receiving state funds for the care of a child depicted by the visual material.

It is assumed that any fiscal impact and any impact on state correctional populations or on the demand for state correctional resources would not be significant. While it is assumed that any state revenue impact would not be significant, it would be dependent on the number of offenses committed and the associated court costs.

**Local Government Impact**

It is assumed that any fiscal impact to units of local government associated with enforcement, prosecution, supervision, or confinement would not be significant.

**Source Agencies:** 212 Office of Court Administration, Texas Judicial Council, 304 Comptroller of Public Accounts, 530 Family and Protective Services, Department of, 696 Department of Criminal Justice

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