

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 89TH LEGISLATIVE REGULAR SESSION

May 28, 2025

TO: Honorable Dan Patrick, Lieutenant Governor, Senate

FROM: Jerry McGinty, Director, Legislative Budget Board

IN RE: SB441 by Hinojosa, Juan "Chuy" (Relating to civil liability for the production, solicitation, disclosure, or promotion of artificial intimate visual material.), **As Passed 2nd House**

No significant fiscal implication to the State is anticipated.

The bill would expand the conduct constituting the offense of unlawful production or distribution of certain sexually explicit videos to include media that appears to depict a person with certain forms of intimate parts or performing certain actions without the person's consent and to include when a person threatens to produce or distribute deep fake media with certain intent including coercion, extortion, harassment, and intimidation. The bill clarifies certain defenses to prosecution and that the criminal penalty would be a Class B or Class A misdemeanor, or a third degree felony, depending on the offense and offense circumstances.

It is assumed that any costs associated with the bill could be absorbed using existing resources.

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.

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, 302 Office of the Attorney General

LBB Staff: JMc, KDw, JPa, DA, MGol