

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 89TH LEGISLATIVE REGULAR SESSION

May 30, 2025

TO: Honorable Dan Patrick, Lieutenant Governor, Senate
Honorable Dustin Burrows, Speaker of the House, House of Representatives

FROM: Jerry McGinty, Director, Legislative Budget Board

IN RE: SB441 by Hinojosa, Juan "Chuy" (Relating to criminal and civil liability related to sexually explicit media and artificial intimate visual material; creating a criminal offense; increasing a criminal penalty.), **Conference Committee Report**

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 would clarify certain defenses to prosecution and establish the criminal penalty as a Class B or Class A misdemeanor or a third degree felony depending on the offense and offense circumstances.

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, CMA, KDw, JPa, DA, MGol