

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 89TH LEGISLATIVE REGULAR SESSION

March 3, 2025

TO: Honorable Pete Flores, Chair, Senate Committee on Criminal Justice

FROM: Jerry McGinty, Director, Legislative Budget Board

IN RE: SB442 by Hinojosa, Juan "Chuy" (Relating to the prosecution and punishment of the offense of unlawful production or distribution of certain sexually explicit media; increasing a criminal penalty.),
As Introduced

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 by including deep fake media as defined in the bill, by excluding the intent to deceive as an element of the offense, by narrowing the definition of exculpatory consent, and by disallowing certain defense to prosecution. The bill would increase the punishment from a Class A misdemeanor to a third degree felony for an individual previously convicted of the offense. It is assumed that any impact on state correctional populations or on the demand for state correctional resources would not be significant.

Local Government Impact

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.

Source Agencies: 212 Office of Court Administration, Texas Judicial Council, 304 Comptroller of Public Accounts

LBB Staff: JMc, MGol, AMr, DGI