

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. NO.: 3258-01
BILL NO.: HB 1240
SUBJECT: Creates the Crime of Indecent Solicitation of a Child
TYPE: Original
DATE: January 11, 2000

FISCAL SUMMARY

ESTIMATED NET EFFECT ON STATE FUNDS			
FUND AFFECTED	FY 2001	FY 2002	FY 2003
General Revenue	(Unknown)	(Unknown)	(Unknown)
Total Estimated Net Effect on <u>All State Funds</u>*	(Unknown)	(Unknown)	(Unknown)

* Unknown costs not expected to exceed \$100,000 annually.

ESTIMATED NET EFFECT ON FEDERAL FUNDS			
FUND AFFECTED	FY 2001	FY 2002	FY 2003
None			
Total Estimated Net Effect on <u>All Federal Funds</u>	\$0	\$0	\$0

ESTIMATED NET EFFECT ON LOCAL FUNDS			
FUND AFFECTED	FY 2001	FY 2002	FY 2003
Local Government	\$0	\$0	\$0

Numbers within parentheses: () indicate costs or losses.

This fiscal note contains 3 pages.

FISCAL ANALYSIS

ASSUMPTION

Officials from the **Office of Prosecution Services, Department of Social Services, and Office of State Courts Administrator** assume that this proposal will not fiscally affect their agencies.

Officials from the **Office of Prosecution Services (SPD)** stated that for the purpose of this proposal, the SPD has assumed that existing staff could provide representation for those 5 to 10 cases arising where indigent persons were charged with the crime of indecent solicitation of a child. However, passage of more than one similar proposal would require the SPD to request increased appropriations to cover cumulative costs of representing the indigent accused in the additional cases.

Officials from the **Department of Corrections (DOC)** did not respond to our request for fiscal impact. **Oversight** assumes the proposal could result in more offenders being incarcerated or placed on probation. Additional costs for supervision and care by the DOC cannot be determined, but would likely be less than \$100,000 annually.

<u>FISCAL IMPACT - State Government</u>	FY 2001 (10 Mo.)	FY 2002	FY 2003
GENERAL REVENUE FUND			
<u>Costs - Department of Corrections</u>			
Increased Costs for New Prisoners or New Persons Placed on Probation	<u>(Unknown)</u>	<u>(Unknown)</u>	<u>(Unknown)</u>
TOTAL ESTIMATED EFFECT ON GENERAL REVENUE FUND	<u>(Unknown)</u>	<u>(Unknown)</u>	<u>(Unknown)</u>

*** Unknown costs are not expected to exceed \$100,000 annually.**

<u>FISCAL IMPACT - Local Government</u>	FY 2001 (10 Mo.)	FY 2002	FY 2003
	\$0	\$0	\$0
<u>FISCAL IMPACT - Small Business</u>			

No direct fiscal impact to small businesses would be expected as a result of this proposal.

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DESCRIPTION

This proposal creates the crime of indecent solicitation of a child and makes it a class D felony. Indecent solicitation of a child is committed when a person at least 17 years old solicits or arranges, by means that include but are not limited to oral and written communications and communications by electronic means, various acts with a child less than 13 years old. These acts include forcible rape, statutory rape in the first degree, sexual assault, forcible sodomy, statutory sodomy in the first degree, child molestation in the first and second degree, deviate sexual assault, or sexual abuse. Mistake of age is not a defense.

This legislation is not federally mandated, would not duplicate any other program and would not require additional capital improvements or rental space.

SOURCES OF INFORMATION

Department of Social Services
Office of State Courts Administrator
Office of Prosecution Services
Office of State Public Defender

NOT RESPONDING: Department of Corrections



Jeanne Jarrett, CPA
Director
January 11, 2000