

**LEGISLATIVE FISCAL OFFICE**  
**Fiscal Note**



Fiscal Note On: **HB 103** HLS 25RS 454

Bill Text Version: **ORIGINAL**

Opp. Chamb. Action:

Proposed Amd.:

Sub. Bill For.:

<b>Date:</b> April 8, 2025	11:40 AM	<b>Author:</b> GADBERRY
<b>Dept./Agy.:</b> Corrections and Sheriffs		<b>Analyst:</b> Daniel Druilhet
<b>Subject:</b> Indecent Visual Depiction of a Minor		

CRIME/SEX OFFENSES

OR SEE FISC NOTE GF EX

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Creates the crime of indecent visual depiction of a minor

Proposed law creates the crime of indecent visual depiction of a minor; provides that no person shall transmit an indecent visual depiction of the intimate parts of a minor child with the malicious and willful intent to abuse, cause emotional or physical distress, coerce, embarrass, harass, intimidate, provide sexual stimulation or gratification, shame, or torment; prohibits lack of knowledge of age as a defense; assesses a sentence of imprisonment of no more than six months, or a fine of not less than \$1,000, or both, for those convicted, and upon second conviction, imprisonment for not more than 5 years at hard labor, or a fine of not less than \$5,000, or both, and upon third or subsequent conviction, imprisonment for not more than 10 years at hard labor, or a fine of not less than \$10,000, or both; provides exemptions as to the persons or entities to which law does not apply; adds a second or subsequent conviction for indecent visual depiction of a minor as a sex offense; provides venue where the offense is deemed to have been committed.

EXPENDITURES	2025-26	2026-27	2027-28	2028-29	2029-30	5 -YEAR TOTAL
State Gen. Fd.	SEE BELOW					
Agy. Self-Gen.	\$0	\$0	\$0	\$0	\$0	\$0
Ded./Other	\$0	\$0	\$0	\$0	\$0	\$0
Federal Funds	\$0	\$0	\$0	\$0	\$0	\$0
Local Funds	SEE BELOW					
<b>Annual Total</b>						
REVENUES	2025-26	2026-27	2027-28	2028-29	2029-30	5 -YEAR TOTAL
State Gen. Fd.	\$0	\$0	\$0	\$0	\$0	\$0
Agy. Self-Gen.	SEE BELOW					
Ded./Other	SEE BELOW					
Federal Funds	\$0	\$0	\$0	\$0	\$0	\$0
Local Funds	SEE BELOW					
<b>Annual Total</b>						

**EXPENDITURE EXPLANATION**

Proposed law may result in an indeterminable increase in SGF expenditures in the Department of Public Safety and Corrections – Corrections Services (DPS&C – CS), if a person receives a second or subsequent felony conviction for indecent visual depiction of a minor. The exact fiscal impact of the passage of this legislation is indeterminable, since it creates a crime, and it is not known how many people will be convicted nor the length of the sentences assessed with those convictions as a result of its potential enactment.

For those convicted, sentenced, and then subsequently housed in a state facility, DPS&C-CS will sustain expenditures of \$107.60 per offender per day. For those housed in local facilities, DPS&C-CS will sustain expenditures of \$26.39 per offender per day. DPS&C-CS advises that impacts on offender populations are anticipated to impact the number of offenders held in local facilities, and that in managing its offender population, it seeks to fill all beds in state facilities first, then assigns overflow offenders to local facilities.

Proposed law may result in an indeterminable increase in Local Funds expenditures for local governing authorities if a person is convicted of a first offense (misdemeanor) for indecent visual depiction of a minor. The exact fiscal impact of the passage of this legislation to local governing authorities is indeterminable, since it is not known how many people will be convicted and incarcerated in local facilities, nor the length of the sentences assessed with those convictions as a result of its potential enactment. The maximum imprisonment term is no more than six months at the local level.

**REVENUE EXPLANATION**

Proposed law may result in an indeterminable increase in local revenues as a result of convictions of indecent visual depiction of a minor. The exact fiscal impact of the passage of this legislation on local revenue is indeterminable because the fines that would be imposed on those convicted are optional, and the amount of the fines, if imposed, may vary. The potential revenue will accrue to the local governing authority.

Proposed law may result in an indeterminable increase in monthly and annual revenues generated by the Department of Public Safety and Corrections and local law enforcement agencies for each instance in which those convicted remit payment for the annual sex offender registration fee (\$60), the monthly supervised probation fee (not less than \$60 nor more than \$100), and the monthly sex offender registry maintenance fee (\$11). Those fees are payable to the appropriate law enforcement agencies with whom the offenders are required to register (annual sex offender registration fee) and the Department of Public Safety and Corrections (monthly supervised probation fee and the monthly sex offender registry maintenance fee). The exact fiscal impact of the proposed law on revenues to the Department of Public Safety and Corrections and local law enforcement agencies is indeterminable, as it is unknown how many instances in which offenders will sustain a second or subsequent conviction for soliciting of prostitutes.

Senate

Dual Referral Rules

House

13.5.1 >= \$100,000 Annual Fiscal Cost {S & H}

6.8(F)(1) >= \$100,000 SGF Fiscal Cost {H & S}

13.5.2 >= \$500,000 Annual Tax or Fee Change {S & H}

6.8(G) >= \$500,000 Tax or Fee Increase or a Net Fee Decrease {S}

**Patrice Thomas**  
**Deputy Fiscal Officer**