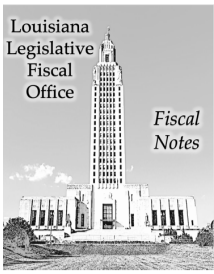


LEGISLATIVE FISCAL OFFICE
Fiscal Note



Fiscal Note On: **HB 5** HLS 25RS 203

Bill Text Version: **ENROLLED**

Opp. Chamb. Action:

Proposed Amd.:

Sub. Bill For.:

Date: June 10, 2025	5:31 PM	Author: JACKSON
Dept./Agy.: Corrections Services/Sheriffs		Analyst: Daniel Druilhet
Subject: Soliciting Prostitutes		

CRIME/PROSTITUTION

EN SEE FISC NOTE GF EX

Page 1 of 2

Provides relative to the crime of soliciting for prostitutes

Current law provides for criminal penalties for a second or subsequent conviction for the crime of soliciting prostitutes. Proposed law adds knowingly soliciting or purchasing a person under 18 for the purpose of engaging in commercial sex activity to the definition of trafficking of children for sexual purposes; adds imprisonment with or without hard labor to the sentence imposed for a second or subsequent conviction of soliciting prostitutes; adds a second or subsequent conviction for soliciting of prostitutes to the definition of sex offense; imposes a minimum of 5 years served without benefit of probation, parole, or suspension of sentence to convictions for purchase of commercial sexual activity, soliciting, inciting, promoting, pandering involving, letting premises for, enticing, crime against nature by solicitation, keeping a disorderly place for, and operation of places for the purpose of prostitution involving persons under 18 years of age (and changes the fine imposed to no more than \$50,000), and imposes a minimum of 10 years served without benefit of probation, parole, or suspension of sentence to the same crimes involving persons under 14 years of age (and changes the fine imposed to no more than \$75,000); adds imprisonment with or without hard labor to the crime of purchase of commercial sexual activity with a person the offender knows to be under 18 years, changes the penalty assessed for purchase of commercial sexual activity to a fine of no more than \$1,000, or imprisonment for no more than 1 year, with or without hard labor, or both (with proceeds distributed 50% to the arresting law enforcement agency and 50% to the DA); removes all time limits for prosecution of sex offenses; eliminates the Exploited Children's Special Fund.

EXPENDITURES	2025-26	2026-27	2027-28	2028-29	2029-30	5 -YEAR TOTAL
State Gen. Fd.	SEE BELOW	SEE BELOW	SEE BELOW	SEE BELOW	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	\$0	\$0	\$0	\$0	\$0	\$0

Annual Total

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	SEE BELOW	SEE BELOW	SEE BELOW	SEE BELOW	
Ded./Other	SEE BELOW	SEE BELOW	SEE BELOW	SEE BELOW	SEE BELOW	
Federal Funds	\$0	\$0	\$0	\$0	\$0	\$0
Local Funds	SEE BELOW	SEE BELOW	SEE BELOW	SEE BELOW	SEE BELOW	

Annual Total

EXPENDITURE EXPLANATION

Proposed law may result in an indeterminable increase in SGF expenditures in the Department of Public Safety & Corrections - Corrections Services (DPS&C), if a person is convicted of soliciting, inciting, promoting, pandering involving, letting premises for, enticing persons into, keeping, operating, or letting a disorderly place for, and crime against nature by solicitation of prostitution when the offender knows the victim is under 18 or 14, or is a victim of human trafficking or trafficking of children for sexual purposes. The exact fiscal impact of the passage of this legislation to state or local governing authorities is indeterminable, since it is not known how many people will be convicted, the number of felony convictions for violation of the proposed law that will occur, nor the length of the sentences assessed as a result of its potential enactment.

Note: The proposed law imposes a minimum of 5 years served without benefit of probation, parole, or suspension of sentence to convictions for purchase of commercial sexual activity, soliciting, inciting, promoting, pandering involving, letting premises for, enticing, crime against nature by solicitation, keeping a disorderly place for, and operation of places for the purpose of prostitution involving persons under 18 years of age, and imposes a minimum of 10 years served without benefit of probation, parole, or suspension of sentence for the same crimes involving persons under 14 years of age. These prospective minimum sentences would impose mandatory costs of either \$9,632 (for those offenders housed in a local facility) or \$39,274 (for offenders housed in a state facility). Considering that the sentences imposed may be in excess of either 5 or 10 years, it is unknown the exact fiscal impact of the proposed law to DPS&C-CS.

[CONTINUED ON PAGE TWO]

REVENUE EXPLANATION

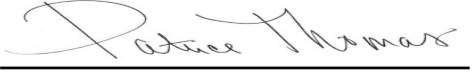
Proposed law may result in an indeterminable increase in monthly and annual revenues generated by the Department of Public Safety and Corrections and local law enforcement agencies for each instance in which those convicted remit payment for the annual sex offender registration fee (\$60), the monthly 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 prostitutes.

Proposed law may result in an indeterminable increase in local revenues as a result of convictions of purchase of commercial activity, or soliciting, inciting, promoting, pandering involving, letting premises for, enticing persons into, keeping, operating, or letting a disorderly place for, and crime against nature by solicitation of prostitution when the offender knows the victim is under 18 or 14, or is a victim of human trafficking or trafficking of children for sexual purposes. The exact fiscal impact of the passage of this legislation on local revenue is indeterminable, as the fines that would be imposed on those convicted are optional, and the amount of fines, if imposed, may vary. The potential revenue will accrue to the local governing authority.

[CONTINUED ON PAGE TWO]

Senate
 13.5.1 >= \$100,000 Annual Fiscal Cost {S & H}
 13.5.2 >= \$500,000 Annual Tax or Fee Change {S & H}

House
 6.8(F)(1) >= \$100,000 SGF Fiscal Cost {H & S}
 6.8(G) >= \$500,000 Tax or Fee Increase or a Net Fee Decrease {S}


Patrice Thomas
Deputy Fiscal Officer

LEGISLATIVE FISCAL OFFICE
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CONTINUED EXPLANATION from page one:
[CONTINUED FROM PAGE ONE - EXPENDITURES]

Proposed law may result in an indeterminable increase in SGF expenditures in the Department of Public Safety & Corrections - Corrections Services, to the extent that an offender sustains a conviction for purchase of commercial sexual activity or a second or subsequent conviction for soliciting prostitutes. Proposed law has the effect of changing current law from a misdemeanor to a relative felony, and any impact on either state or local expenditures is contingent on whether offenders sustain either a misdemeanor or felony-grade convictions for its violation.

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 convicted, sentenced, and then subsequently housed in a local facility, 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.

To the extent that offenders sustain a misdemeanor conviction for violation of the proposed law (purchase of commercial sexual activity), local governing authorities will sustain Local Funds expenditures. 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 one year.

[CONTINUED FROM PAGE ONE - REVENUES]

Treasury

Proposed law will result in a \$10,532 decrease in Statutory Dedications revenues in FY 26 out of the Exploited Children's Special Fund (Act No. 429 of the 2013 RS). The fund receives proceeds from the public sale or auction of property forfeited, which is related to human trafficking or trafficking of children for sexual purposes, and mandatory monetary assessments (\$2,000) made against persons convicted or who plead guilty or nolo contendere to an offense involving trafficking children for sexual purposes, prostitution with persons under 17, or enticing persons into prostitution. Proposed law would have the effect of removing the statutorily dedicated funding that is established for providing restitution to child victims of exploitation and human trafficking. With enactment of the proposed law, the LFO anticipates any remaining balance in the fund at the close of the fiscal year would be transferred to the state general fund. The Treasury reports a remaining fund balance of \$10,532 as of 6/8/25.

Senate Dual Referral Rules


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

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

House

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

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


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