



LEGISLATIVE FISCAL OFFICE
Fiscal Note

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

Bill Text Version: **ENGROSSED**

Opp. Chamb. Action:

Proposed Amd.:

Sub. Bill For.:

| | | |
|--|----------|---------------------------------|
| Date: May 15, 2025 | 10:58 AM | Author: JACKSON |
| Dept./Agy.: Corrections Services/Sheriffs | | |
| Subject: Soliciting Prostitutes | | Analyst: Daniel Druilhet |

CRIME/PROSTITUTION

EG SEE FISC NOTE GF EX

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Provides relative to the crime of soliciting for prostitutes

Current law provides that for a second or subsequent conviction for the crime of soliciting prostitutes, an offender shall be fined not less than \$1,500 nor more than \$2,000, or imprisoned for not more than one year, or both, with one-half of the fines collected to be distributed by the sheriff or executive officer of the court as follows - fifty percent to the sheriff or law enforcement agency making the arrest and fifty percent to the district attorney. Proposed law adds imprisonment at hard labor to the sentence imposed for a second or subsequent conviction for the crime of soliciting prostitutes; adds a second or subsequent conviction for soliciting of prostitutes to the definition of sex offense; changes the penalty assessed for purchase of commercial sexual activity from a fine of no more than \$750, or imprisonment for no more than six months, or both, to a fine of no more than \$1,000, or imprisonment for no more than 1 year, or both; changes the minimum fine assessed for purchase of commercial sexual activity when the offender knows the victim is under 18 years of age or is a victim of human trafficking or trafficking of children for sexual purposes from no less than \$3,000 to no less than \$5,000, and when the offender knows the victim is under 14 years of age from no less than \$5,000 to no less than \$10,000; provides for notification of eligibility for specialized services to victims of human trafficking, trafficking of children for sexual purposes, and soliciting prostitutes.

| 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 a second or subsequent conviction for soliciting prostitutes. Proposed law has the effect of enhancing the sentence imposed for the current law from a misdemeanor to a felony. 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.

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. 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.

[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. 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.

| | | | |
|---|----------------------------|--|---|
| <u>Senate</u> | <u>Dual Referral Rules</u> | <u>House</u> |  |
| <input type="checkbox"/> 13.5.1 >= \$100,000 Annual Fiscal Cost {S & H} | | <input type="checkbox"/> 6.8(F)(1) >= \$100,000 SGF Fiscal Cost {H & S} | Patrice Thomas |
| <input type="checkbox"/> 13.5.2 >= \$500,000 Annual Tax or Fee Change {S & H} | | <input type="checkbox"/> 6.8(G) >= \$500,000 Tax or Fee Increase or a Net Fee Decrease {S} | Deputy Fiscal Officer |



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CONTINUED EXPLANATION from page one:

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[CONTINUED FROM PAGE ONE]

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.

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