

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



Fiscal Note On: **HB 261** HLS 13RS 882

Bill Text Version: **ENGROSSED**

Opp. Chamb. Action:

Proposed Amd.:

Sub. Bill For.:

<b>Date:</b> April 18, 2013	9:29 AM	<b>Author:</b> HAZEL
<b>Dept./Agy.:</b> Corrections		<b>Analyst:</b> Stephanie C. Blanchard
<b>Subject:</b> Prostitution		

CRIME/SEX OFFENSES EG INCREASE GF EX See Note Page 1 of 1

Provides that the term of imprisonment for certain offenses concerning prostitution shall be served at hard labor when the offense involves a person under a certain age

Present law provides criminal penalties for the following offenses concerning prostitution: prostitution (R.S. 14:82), soliciting for prostitutes (R.S. 14:83), inciting prostitution (R.S. 14:83.1), promoting prostitution (R.S. 14:83.2), pandering (R.S. 14:84), letting premises for prostitution (R.S. 14:85), enticing persons into prostitution (R.S. 14:86), crime against nature (R.S. 14:89), keeping a disorderly place (R.S. 14:104), letting a disorderly place (R.S. 14:105), and operation of places of prostitution (R.S. 14:282). Provides the penalties for such offenses, which include both a fine and imprisonment, shall be enhanced when the offense involves a person under the age of 18, and further enhanced when the offense involves a person under the age of 14.

Proposed law provides that the term of imprisonment for such offenses, involving a person under the age of 18 years and under the age of 14 years, shall be served at hard labor.

<b>EXPENDITURES</b>	<b>2013-14</b>	<b>2014-15</b>	<b>2015-16</b>	<b>2016-17</b>	<b>2017-18</b>	<b>5 -YEAR TOTAL</b>
State Gen. Fd.	INCREASE	INCREASE	INCREASE	INCREASE	INCREASE	
Agy. Self-Gen.	\$0	\$0	\$0	\$0	\$0	<b>\$0</b>
Ded./Other	\$0	\$0	\$0	\$0	\$0	<b>\$0</b>
Federal Funds	\$0	\$0	\$0	\$0	\$0	<b>\$0</b>
Local Funds	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<b><u>\$0</u></b>
<b>Annual Total</b>						
<b>REVENUES</b>	<b>2013-14</b>	<b>2014-15</b>	<b>2015-16</b>	<b>2016-17</b>	<b>2017-18</b>	<b>5 -YEAR TOTAL</b>
State Gen. Fd.	\$0	\$0	\$0	\$0	\$0	<b>\$0</b>
Agy. Self-Gen.	\$0	\$0	\$0	\$0	\$0	<b>\$0</b>
Ded./Other	\$0	\$0	\$0	\$0	\$0	<b>\$0</b>
Federal Funds	\$0	\$0	\$0	\$0	\$0	<b>\$0</b>
Local Funds	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<b><u>\$0</u></b>
<b>Annual Total</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

**EXPENDITURE EXPLANATION**

The proposed legislation may result in an indeterminable increase in state general fund expenditures since it amends the criminal penalties for certain offenses concerning prostitution to mandate hard labor imprisonment for specific circumstances, meaning mandatory sentencing in a state facility. The exact fiscal impact of the passage of this legislation is indeterminable, since it is not known how many individuals will be convicted of these crimes. However, any offender sentenced to the custody of the Department of Public Safety and Corrections increases expenditures by \$47.74 per day per offender in state facilities. To the extent an offender is convicted of these amended penalties for specific circumstances listed pursuant to proposed legislation in the future, it would cost the state \$17,425 annually (1 offender x \$47.74 per day x 365 days).

There was 1 admit in 2011 involving the affected age groups pursuant to proposed law where the victim was under the age of 12. The offender was sentenced to 3 years and was released in 2012 having served 1.3 years.

**REVENUE EXPLANATION**

There is no anticipated direct material effect on governmental revenues as a result of this measure.

<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) >= \$500,000 Annual Fiscal Cost {S}
<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}

*Evan Brasseaux*

**Evan Brasseaux**  
**Staff Director**