

JBC Staff Fiscal Analysis
Senate Appropriations Committee

Concerning offenses involving commercial sexual activity with a child.

Prime Sponsors:

Senator Pelton B.; Roberts
Representative Duran; Caldwell

Date Prepared:

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Fiscal Impacts

Appropriation Not Required, Amendment in Packet

Significant Appropriation Increase in Second and Third Year

Fiscal Note Status

The most recent Legislative Council Staff Revised Fiscal Note (attached) reflects the fiscal impact of the bill as of 02/27/26.

No Change: Attached LCS Fiscal Note accurately reflects the fiscal impact of the bill.

Amendments in This Packet

L.006 Bill Sponsor amendment - changes future fiscal impact

Current Appropriations Clause in Bill

The bill neither requires nor contains an appropriation clause for FY 2026-27.

Description of Amendments in This Packet

L.006

Bill Sponsor amendment **L.006** (attached) changes the bill to no longer require a sentence to the Department of Corrections (DOC) for commercial sexual activity with a child. Rather, it "encourages courts to exercise their discretion to sentence persons convicted" of the crime to the DOC for a term of "at least the minimum of the presumptive range for a class 3 felony...". This removes the future fiscal impact of the bill as noted in the Revised Fiscal Note.

The amendment also requires that a person convicted of the crime serve 364 days in the county jail as a condition of probation if probation be the sentence. The person convicted would not be eligible for deductions of their sentence as a result of the mandatory time served in a county jail. The court would not have the discretion to employ any sentencing alternative during this mandatory period of imprisonment. This provision would increase local costs but not state costs. JBC and LCS staff agree on the fiscal impact of the amendment.

Points to Consider

Future Fiscal Impact

The bill requires General Fund appropriations of \$0.9 million in FY 2027-28 and \$1.8 million in FY 2028-29 to house inmates potentially sentenced to imprisonment in the DOC. Additionally, capital construction costs of \$21.5 million would be required to increase prison bed space in line with the estimated increase in prison population under this bill.

Bill sponsor amendment **L.006** removes the future fiscal impact of the bill as described in the LCS Revised Fiscal Note.