

BILL ANALYSIS

H.B. 1808
By: Meyer
State Affairs
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Concerns have been raised that some actors who have solicited sex from a prostitute who is a minor have been able to use the defense that they were not aware of the prostitute's age at the time of the solicitation. H.B. 1808 seeks to prevent this line of defense by establishing that an actor who engages in the conduct constituting certain trafficking and sexual offenses commits the applicable offense regardless of whether the actor knows the age of the victim at the time of the offense.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

H.B. 1808 amends the Penal Code to establish that an actor who engages in the conduct constituting the following offenses commits the applicable offense regardless of whether the actor knows the age of the victim at the time of the offense: continuous sexual abuse of a young child or children, indecency with a child, sexual assault of a child, aggravated sexual assault of a child, sexual performance by a child, and employment harmful to children.

EFFECTIVE DATE

September 1, 2017.