2007 Regular Legislative Session
FISCAL ANALYSIS OF PROPOSED LEGISLATION
Prepared by the Oregon Legislative Fiscal Office

MEASURE NUMBER: SB 473 **STATUS:** Original
SUBJECT: Creates crime of sexual solicitation of a minor.
GOVERNMENT UNIT AFFECTED: Department of Corrections, Oregon Judicial Department, Public Defense Services Commission, Oregon State Police
PREPARED BY: Tim Walker
REVIEWED BY: Robin LaMonte, Doug Wilson
DATE: May 2, 2007

	2007-2009	2009-2011
EXPENDITURES:		
See Comments		

EFFECTIVE DATE: January 1, 2008

GOVERNOR'S BUDGET: This bill is not anticipated by the Governor's recommended budget.

LOCAL GOVERNMENT MANDATE: This bill does not affect local governments' service levels or shared revenues sufficient to trigger Section 15, Article XI of the Oregon Constitution.

COMMENTS: This bill creates the crime of sexual solicitation of a minor and provides for a punishment of 5 years imprisonment, a $125,000 fine and the requirement to register as a sex offender.

The fiscal impact of this bill is indeterminate. It is certain that additional prosecutions will result from this bill, but an accurate estimate is not possible because of the following factors:

- The bill creates a class A, B and C felony depending upon the circumstances. Having increased penalties may give prosecutors increased leverage and defendants may choose to plea bargain to a lesser charge instead of risking a jury trial. This could decrease court costs and increase community corrections and jail costs.
- The increased penalties could also result in more defendants choosing a jury trial because of the severity of the sanctions. This could result in increased court costs, increased public defense costs, and if the trial results in a guilty verdict, an increased requirement for prison beds.
- The requirement to register as a sex offender could also result in increased violations of the reporting requirement. This could result in more prosecutions of class C felony failure to report. This could result in increased court costs, increased community corrections costs and increased prison bed requirements.
- The bill targets on-line solicitation of minors, although not limited to on-line solicitation of minors, prosecution under this bill may be dictated by the resources that law enforcement can dedicate to these types of investigations.

It is very difficult to predict the various permutations of the above to factors and it is therefore not possible to develop an accurate estimate of the potential fiscal impact. It is certain that this bill will result in increased costs to the criminal justice system, but the magnitude of the impact is uncertain.