

Fiscal Estimate Narratives

DA 6/30/2015

LRB Number	15-2506/1	Introduction Number	SB-200	Estimate Type	Original
Description					
Investigation of a child abuse report in which a person who is not a caregiver of the child is suspected of permitting, allowing, or encouraging the child to engage in prostitution; and prohibiting prosecuting a person under the age of 18 with committing an act of prostitution					

Assumptions Used in Arriving at Fiscal Estimate

Current law requires certain persons who have cause to suspect that a child, seen in the course of professional duties, has been abused must report it to law enforcement or to a social services agency. A law enforcement agency must report cases of child abuse in which a caregiver is suspected of the abuse or of failing to take action to prevent the abuse to a social services agency. Current law, however, permits, rather than requires, a law enforcement agency to refer to a social services agency a case in which a non-caregiver is suspected of the abuse, and permits, rather than requires, the social services agency to initiate an investigation. Under current law, a person who commits an act of prostitution may be fined and/or imprisoned; however, a court may consider a consent decree under the Juvenile Justice Code or a deferred prosecution agreement if a person under age 18 is guilty of committing an act of prostitution.

Under this bill, a person who has not attained age 18 may not be prosecuted for committing an act of prostitution. The bill eliminates the option for a person under 18 to enter a consent decree or a deferred prosecution agreement. In addition, a law enforcement agency must refer to a social services agency, and the agency must investigate a case of child abuse in which a non-caregiver is suspected of permitting, allowing, or encouraging the child to engage in prostitution.

Prosecutors do not expect that this bill will have a fiscal impact on their offices.

Long-Range Fiscal Implications

Should this bill be enacted, prosecutors do not anticipate that there will be a long-term fiscal impact on their offices.