

BILL SUMMARY
2nd Session of the 58th Legislature

Bill No.:	HB 4013
Version:	Introduced
Request Number:	10595
Author:	Rep. Conley
Date:	2/25/2022
Impact:	Potential incarceration costs; potential fine revenue

Research Analysis

The CS to HB 4013 modifies the definition of "obscene material" to include any book, article, magazine, publication, or written matter of any kind, or any drawing, etching, or painting as mediums which can be considered obscene. The measure places a definition of "obscene material harmful to minors" within the act to mean and includes any representation, performance, pictures or literature, including any book, article, magazine, publication, or written matter of any kind, or any drawing, etching, painting, still photographs, undeveloped photographs, motion pictures, undeveloped film, videotape, optical, magnetic or solid state storage, CD or DVD, or a purely photographic product or a reproduction of such product in any book, pamphlet, magazine, or other publication or electronic or photo-optical format that depicts or describes or includes nudity, sexual conduct, sexual excitement or sadomasochistic abuse that predominantly appeals to the prurient, shameful or morbid interest of minors, is patently offensive to the prevailing standards in the adult community with respect to what is suitable material for minors, and is utterly without redeeming social importance for minors.

Prepared By: Brad Wolgamott

Fiscal Analysis

The committee substitute to the measure would amend the statutory definition of "obscene material" to include written matter and drawings.

Upon review, the measure may have a fiscal impact. By expanding the definition of "obscene material", the measure may increase the number of criminal convictions. The potential increase in incarceration costs may be offset by fine revenue from assessed penalties.

Prepared By: Clayton Mayfield

Other Considerations

None.