

BILL SUMMARY
1st Session of the 60th Legislature

Bill No.:	SB599
Version:	CS
Request Number:	13571
Author:	Rep. Turner
Date:	4/28/2025
Impact:	DOC: Minimal

Research Analysis

The Committee Substitute to SB 599 removes the requirement that a previous offense of forcible anal or oral sodomy, rape, or rape by instrumentation of a child under 14 be in place in order for a person convicted of such crime to be eligible for the death penalty. The measure provides that a person convicted of lewd molestation of a child under 12 years of age is to be punished by death, for a term of imprisonment of not less than 10 years, life, or life without parole.

Prepared By: Brad Wolgamott

Fiscal Analysis

The CS to SB599 modifies the sentencing guidelines for a first offense of forcible anal or oral sodomy, rape, or rape by instrumentation of a child under 14. The measure allows the court to sentence the offender to death or to imprisonment for Life Without Parole (LWOP) upon first offense. Previously, these sentencing options were only available upon a subsequent conviction for any of those crimes. In cases when the child is under 12 years of age, the minimum sentence length is reduced from to 10 years, down from 25 years.

Overall, SB599 gives the courts more broad discretion in sentencing options for certain child sex crimes. The cost savings of shorter sentence lengths in some cases could offset the increased cost of other cases that may now be sentences of death, life, or LWOP. Whether or not this results in a net increase or decrease in inmates over time depends upon the annual reception and release for those crimes, and currently that data cannot be predicted. Any change in the costs incurred by the Department of Corrections (DOC) are expected to be immaterial and/or absorbed by the agency in the short term. However, DOC may seek appropriations in the future to manage an increase in prison population. Therefore, this measure in its current form is anticipated to be budget neutral.

Prepared By: Robert Flipping IV, House Fiscal Staff

Other Considerations

None.