

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 87TH LEGISLATIVE REGULAR SESSION

April 23, 2021

TO: Honorable Jeff Leach, Chair, House Committee on Judiciary & Civil Jurisprudence

FROM: Jerry McGinty, Director, Legislative Budget Board

IN RE: HB2174 by Shaheen (relating to restricting access to pornographic materials on certain websites and creating civil liability for certain actions that allow children to access pornographic materials.),
Committee Report 1st House, Substituted

The fiscal implications of the bill cannot be determined at this time because because the number of organizations who own internet websites that would be held liable under the bill's provisions and the number of persons who upload pornographic materials on websites accessed by individuals younger than 13 years of age is unknown.

The bill would amend the Civil Practice and Remedies Code to provide provides that an organization (as defined) that owns an Internet website, including an organization that owns a social media Internet website, must include a mechanism on the website that prevents a user from accessing pornographic materials on the website unless the user verifies that the user is 13 years of age or older. The bill would provide that an organization may be held liable if the organization does not include a mechanism described by the bill on the organization's Internet website.

The bill would also provide that a person who uploads pornographic materials on a website may be held liable for damages if an individual younger than 13 accesses the materials.

Based on information provided by the Office of Court Administration (OCA), the fiscal implications associated with implementing the provisions of the bill cannot be determined because the number of organizations who own internet websites that would be held liable under the bill's provisions and the number of persons who upload pornographic materials on websites accessed by individuals younger than 13 years of age is unknown.

The bill would take effect September 1, 2021.

Local Government Impact

No significant fiscal implication to units of local government is anticipated.

Source Agencies: 212 Office of Court Admin

LBB Staff: JMc, SLE, MW, BH