

**LEGISLATIVE BUDGET BOARD**  
**Austin, Texas**

**FISCAL NOTE, 88TH LEGISLATIVE REGULAR SESSION**

**May 17, 2023**

**TO:** Honorable Bryan Hughes, Chair, Senate Committee on State Affairs

**FROM:** Jerry McGinty, Director, Legislative Budget Board

**IN RE: HB1181** by Shaheen (relating to access to sexually explicit material on the Internet or electronic devices; providing civil penalties.), **Committee Report 2nd House, Substituted**

The fiscal implications of the bill cannot be determined due to because the extent to which caseloads would increase in the state court system is unknown.

The bill would make no appropriation but could provide the legal basis for an appropriation of funds to implement the provisions of the bill.

The bill would amend the Civil Practice and Remedies Code to restrict access to pornographic materials on certain websites and to create civil liability for certain actions that allow minors to access pornographic materials.

The bill would require organizations that own Internet websites to have mechanisms and filters for age verification as required by the bill. The bill would provide that an organization may be held liable if the organization does not include a mechanism for age verification. The bill would also provide that a person who uploads pornographic material to an Internet website may be held liable for damages if an individual below the age specified by the bill would access the materials on the website.

The bill would provide for a civil penalty against business who fail to comply with reasonable age verification requirements required by the bill. Any revenue generated by this section would be deposited in General Revenue.

Based on the analysis of the Office of Court Administration, the fiscal implications to the state court system cannot be determined because the extent to which caseloads and penalties would increase under the provisions of the bill is unknown.

**Local Government Impact**

The fiscal implications of the bill cannot be determined at this time.

**Source Agencies:** 212 Office of Court Administration, Texas Judicial Council, 302 Office of the Attorney General, 304 Comptroller of Public Accounts

**LBB Staff:** JMc, SMAT, JPa