

**BILL SUMMARY**  
2<sup>nd</sup> Session of the 59<sup>th</sup> Legislature

<b>Bill No.:</b>	<b>HB3097</b>
<b>Version:</b>	<b>CS</b>
<b>Request Number:</b>	<b>10244</b>
<b>Author:</b>	<b>Hasenback</b>
<b>Date:</b>	<b>2/21/2024</b>
<b>Impact:</b>	<b>\$0</b>

**Research Analysis**

The committee substitute to HB 3097 makes commercial entities liable for publishing or distributing obscene material. The measure provides that any commercial entity that knowingly and intentionally publishes or distributes obscene material, or material that depicts or promotes child pornography or child sexual exploitation, on the Internet or any other type of electronic, digital, or print media, may be held liable to an individual for nominal damages, actual damages, court costs, and reasonable attorney fees as ordered by the court.

The measure requires a commercial entity that knowingly and intentionally publishes or distributes material harmful to minors on the Internet from a website that contains a substantial portion of such material to provide internet service subscribers and cellular service subscribers the opportunity to request that access to the material by subscription service be denied. An entity that fails to allow subscribers to block access or fails to block access after receiving a request to block access may be held liable. A commercial entity that requires age verification to access its website will not be held liable.

The Attorney General is allowed to seek injunctive relief against a commercial entity that fails to comply.

Prepared By: Brad Wolgamott

**Fiscal Analysis**

This measure holds liable commercial entities that knowingly and intentionally publish or distribute certain obscene materials. In its current form, HB3097 is not anticipated to impact state budget or appropriations.

Prepared By: Robert Flipping IV, House Fiscal Staff

**Other Considerations**

None.