

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 5627S.01I
Bill No.: SB 907
Subject: Attorney General; Civil Procedure; Internet and E-Mail; Liability
Type: Original
Date: February 3, 2026

Bill Summary: This proposal establishes the "Act Against Abusive Website Access Litigation".

FISCAL SUMMARY

ESTIMATED NET EFFECT ON GENERAL REVENUE FUND

FUND AFFECTED	FY 2027	FY 2028	FY 2029
Total Estimated Net Effect on General Revenue	\$0	\$0	\$0

ESTIMATED NET EFFECT ON OTHER STATE FUNDS

FUND AFFECTED	FY 2027	FY 2028	FY 2029
Total Estimated Net Effect on <u>Other</u> State Funds	\$0	\$0	\$0

Numbers within parentheses: () indicate costs or losses.

ESTIMATED NET EFFECT ON FEDERAL FUNDS

FUND AFFECTED	FY 2027	FY 2028	FY 2029
Total Estimated Net Effect on <u>All</u> Federal Funds	\$0	\$0	\$0

ESTIMATED NET EFFECT ON FULL TIME EQUIVALENT (FTE)

FUND AFFECTED	FY 2027	FY 2028	FY 2029
Total Estimated Net Effect on FTE	0	0	0

Estimated Net Effect (expenditures or reduced revenues) expected to exceed \$250,000 in any of the three fiscal years after implementation of the act or at full implementation of the act.

Estimated Net Effect (savings or increased revenues) expected to exceed \$250,000 in any of the three fiscal years after implementation of the act or at full implementation of the act.

ESTIMATED NET EFFECT ON LOCAL FUNDS

FUND AFFECTED	FY 2027	FY 2028	FY 2029
Local Government	\$0	\$0	\$0

FISCAL ANALYSIS

ASSUMPTION

§537.1250 – Act Against Abusive Website Access Litigation

In response to similar legislation, HB 2056 (2026), officials from the **Attorney General’s Office (AGO)** assumed this proposal will increase personnel costs. It is assumed that 0.5 FTE Assistant Attorney General I (\$75,000 annually) and 0.5 FTE Paralegal (\$55,000) will be necessary to handle the increased caseload. The AGO estimates FY27 cost to General Revenue of \$103,999 (including fringe benefits and E&E); FY28 cost of \$119,494; and FY29 cost of \$121,672.

Oversight assumes the AGO will be able to perform any additional duties required by this proposal with current staff and resources and will reflect no fiscal impact to the AGO for fiscal note purposes. If multiple bills pass which require additional staffing and duties at substantial costs, the AGO could request funding through the appropriation process.

Officials from the **Office of the State Courts Administrator** and **Legislative Research** each assume the proposal will have no fiscal impact on their respective organizations. **Oversight** does not have any information to the contrary. Therefore, Oversight will reflect a zero impact in the fiscal note for these agencies.

<u>FISCAL IMPACT – State Government</u>	FY 2027 (10 Mo.)	FY 2028	FY 2029
	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>

<u>FISCAL IMPACT – Local Government</u>	FY 2027 (10 Mo.)	FY 2028	FY 2029
	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>

FISCAL IMPACT – Small Business

This proposal may impact small business website companies.

FISCAL DESCRIPTION

This act creates the "Act Against Abusive Website Access Litigation". The Attorney General, on behalf of a class of residents of this state, or any resident of this state who is subject to litigation

that alleges any website access violation may file a civil action against the party, attorney, or law firm that initiated such litigation for a determination as to whether such litigation alleging a website access violation is abusive litigation. In determining whether such litigation is abusive, the trier of fact shall consider the totality of the circumstances to determine if the primary purpose of the litigation was to obtain a payment from the defendant due to the costs of defending the action in court. The act describes the factors to be considered in making this determination.

If the defendant in a website access violation case attempts to correct the alleged violation within 30 days of being provided notice, there shall be a rebuttable presumption that the subsequent initiation or continuance of litigation constitutes abusive litigation. Such presumption shall not exist if the alleged violation is not corrected within 90 days under circumstances described in the act. If the Attorney General determines that the website access litigation is not abusive, then there shall be a rebuttable presumption that the litigation is not abusive.

The court may award attorney's fees to the party defending against the abusive litigation. The court may also award punitive damages or sanctions not to exceed three times the amount of attorney's fees awarded by the court.

If the U.S. Department of Justice issues standards concerning website accessibility under the federal Americans with Disabilities Act, the provisions of this act shall expire.

This legislation is not federally mandated, would not duplicate any other program and would not require additional capital improvements or rental space.

SOURCES OF INFORMATION

Attorney General's Office
Office of the State Courts Administrator
Legislative Research

Julie Morff
Director



Jessica Harris
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