



FISCAL NOTE

House Bill 164

Committee: Judiciary

Sponsor: Representative Ben Robbins

Analyst: Peter Grogan

Date: 02/22/2024

House Bill 164 as reported by the Committee on Judiciary would increase receipts to the Department of Mental Health beginning in Fiscal Year 2026, to be used for the care and treatment of individuals with behavioral health needs, by an undetermined amount dependent on the revenue generated from the levy on commercial entities operating an adult website of a 10% tax on the gross receipts of all sales, distributions, memberships, subscriptions, performances, and all other content from material harmful to minors that is produced, sold, filmed, generated, or otherwise based in this state. This bill would provide that this tax would be in addition to all other taxes and may be collected by the Department of Revenue in the same manner as state sales and use taxes.

In addition, this bill would provide for individuals that are injured by violations of the provisions of this bill to seek a civil remedy. This bill would also provide for the recovery of civil penalties of up to \$10,000 per violation by the Office of the Attorney General.

Further this bill could increase the administrative obligations of the Department of Revenue, by an undetermined amount, to adopt rules to implement this bill.

Finally this bill could increase receipts to the State General Fund from fines; increase receipts to the State General Fund, county general funds and other funds to which court costs are deposited; and could increase the obligations of the State General Fund, district attorneys, the Bureau of Pardons and Paroles, the Department of Corrections, and community corrections programs by an undetermined amount dependent upon the number of persons charged with and convicted of the offenses provided by the bill and the penalties imposed.