

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 5347H.011
 Bill No.: HB 2862
 Subject: Elections; Science and Technology; Crimes and Punishment; Fire Protection
 Type: Original
 Date: February 16, 2026

Bill Summary: This proposal prohibits digital impersonation of a person and provides for injunctive relief.

FISCAL SUMMARY

ESTIMATED NET EFFECT ON GENERAL REVENUE FUND

FUND AFFECTED	FY 2027	FY 2028	FY 2029
General Revenue*	\$0 or (Unknown)	\$0 or (Unknown)	\$0 or (Unknown)
Total Estimated Net Effect on General Revenue	\$0 or (Unknown)	\$0 or (Unknown)	\$0 or (Unknown)

*OSCA's potential unknown costs assumed to be less than \$250,000 annually.

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

§537.056 – Digital Impersonation

Officials from the **Office of the State Courts Administrator (OSCA)** state HB 2862 may have some impact but there is no way to quantify that amount currently. Any significant changes will be reflected in future budget requests.

Oversight notes OSCA assumes this proposal may have some impact on their organization although it can't be quantified at this time. As OSCA is unable to provide additional information regarding the potential impact, Oversight assumes the proposed legislation will have a \$0 or (Unknown) cost to the General Revenue Fund. For fiscal note purposes, Oversight also assumes the impact will be under \$250,000 annually. If this assumption is incorrect, this would alter the fiscal impact as presented in this fiscal note. If additional information is received, Oversight will review it to determine if an updated fiscal note should be prepared and seek approval to publish a new fiscal note.

Officials from the **Department of Mental Health** and **Department of Social Services** 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
GENERAL REVENUE			
<u>Cost – OSCA (§537.056) Potential increase in costs</u>	\$0 or (Unknown)	\$0 or (Unknown)	\$0 or (Unknown)
ESTIMATED NET EFFECT ON GENERAL REVENUE	\$0 or (Unknown)	\$0 or (Unknown)	\$0 or (Unknown)

<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

No direct fiscal impact on small businesses would be expected as a result of this proposal.

FISCAL DESCRIPTION

Any Missouri resident can bring a civil action for the publishing of a digital impersonation of that person. Such action can be brought within two years after the person knows, or should reasonably know, that the digital impersonation was published. The sole remedy for this cause of action is preliminary and permanent declaratory relief. To prevail on such an action, the plaintiff must prove certain elements by a preponderance of the evidence, as described in the bill.

If the digital impersonation is part of a paid advertisement, a cause of action must be brought only against the person or entity that originated, ordered, placed, or paid for the advertisement. A cause of action for digital impersonation can also seek declaratory judgment that a recording or image is a digital impersonation. The court will rule on such a petition within two days, but preliminary declaratory relief will be granted only if the person is able to prove by a preponderance of the evidence certain elements of digital impersonation, as described in the bill.

The publisher of the alleged digital impersonation will have the right to appear, be heard, and present evidence prior to the court's entry of judgment. If the publisher does not make an appearance, however, the plaintiff will not be entitled to taxable costs.

A plaintiff in a digital impersonation cause of action can recover injunctive relief and damages if certain requirements are met, as described in the bill. A parent or guardian of a minor child or incapacitated person can seek relief on behalf of such minor or person.

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

Department of Mental Health
Department of Social Services
Office of the State Courts Administrator



Julie Morff
Director
February 16, 2026



Jessica Harris
Assistant Director
February 16, 2026