



MISSOURI HOUSE OF REPRESENTATIVES
WITNESS APPEARANCE FORM

BILL NUMBER: HB 2057		DATE: 2/11/2026
COMMITTEE: Commerce		
TESTIFYING: <input checked="" type="checkbox"/> IN SUPPORT OF <input type="checkbox"/> IN OPPOSITION TO <input type="checkbox"/> FOR INFORMATIONAL PURPOSES		
WITNESS NAME		
INDIVIDUAL:		
WITNESS NAME: ARNIE "HONEST-ABE" DIENOFF-STATE PUBLIC ADVOCATE		PHONE NUMBER:
BUSINESS/ORGANIZATION NAME:		TITLE:
ADDRESS:		
CITY:		STATE: ZIP:
EMAIL:	ATTENDANCE: In-Person	SUBMIT DATE: 2/11/2026 11:20 PM
THE INFORMATION ON THIS FORM IS PUBLIC RECORD UNDER CHAPTER 610, RSMo.		

I am in Support of Creating this "Live Entertaining District" and Venue in the City Of Osage Beach. This District will be yet another Gem and Lake Opportunity.



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WITNESS NAME			
REGISTERED LOBBYIST:			
WITNESS NAME: JEFFREY ABOUSSIE		PHONE NUMBER: 314-566-9933	
REPRESENTING: REGIONAL STRATEGIES		TITLE:	
ADDRESS: 330 SHETLAND VALLEY CT			
CITY: CHESTERFIELD		STATE: MO	ZIP: 63005
EMAIL:	ATTENDANCE:	SUBMIT DATE: 2/11/2026 12:00 AM	
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WITNESS NAME			
INDIVIDUAL:			
WITNESS NAME: SARAH BERRY		PHONE NUMBER:	
BUSINESS/ORGANIZATION NAME:		TITLE:	
ADDRESS:			
CITY:		STATE:	ZIP:
EMAIL:	ATTENDANCE: Written	SUBMIT DATE: 2/10/2026 6:34 AM	
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To the Members of the Committee:

I submit this testimony in strong opposition to House Bill 2056 because it violates the Supremacy Clause of the United States Constitution, retaliates against protected civil-rights enforcement, and unconstitutionally interferes with access to the courts.

HB 2056 attempts to re-regulate and penalize litigation brought under the federal Americans with Disabilities Act by labeling such actions “abusive,” imposing presumptions against plaintiffs, and authorizing punitive damages against those who seek to enforce federally protected rights. States may not obstruct or burden the enforcement mechanisms chosen by Congress for civil-rights statutes.[1]

The ADA relies on private litigants to vindicate public rights. HB 2056 undermines that scheme by deterring lawsuits through financial intimidation and retaliatory liability, in direct conflict with federal law.[2]

This renders the statute preempted and unenforceable under the Supremacy Clause.

Additionally, HB 2056 violates the First Amendment by imposing content-based burdens on the right to petition the courts. It targets a single category of claims—disability access litigation—and penalizes plaintiffs and attorneys for engaging in protected legal advocacy.[3]

The bill further violates due process by employing vague and subjective standards that expose litigants to punitive damages without fair notice of prohibited conduct.[4] It intrudes upon the judiciary’s authority by substituting legislative presumptions for judicial discretion and duplicating sanction mechanisms already governed by court rule.[5]

Finally, by discouraging enforcement of disability-access requirements, HB 2056 disproportionately harms individuals with disabilities and undermines equal protection and civil-rights guarantees.[6]

For these reasons, House Bill 2056 is unconstitutional, discriminatory in effect, and incompatible with federal civil-rights law. I urge the committee to reject this bill in its entirety.

In closing, this legislation constitutes retaliation. It targets a protected class of litigants—individuals seeking to enforce disability access rights—and their counsel, and imposes punitive consequences for exercising the fundamental right to petition the courts. By conditioning liability, sanctions, and

financial punishment on the act of bringing federally protected civil-rights claims, the bill operates not as neutral regulation, but as deterrence by design. Retaliatory statutes that chill the enforcement of civil-rights laws are incompatible with the Supremacy Clause, the First Amendment, and the core promise that rights mean nothing if they cannot be enforced without fear of reprisal.

FOOTNOTES

[1] U.S. Const. art. VI, cl. 2; *Hines v. Davidowitz*, 312 U.S. 52 (1941)

[2] *Newman v. Piggie Park Enters., Inc.*, 390 U.S. 400 (1968)

[3] *BE & K Constr. Co. v. NLRB*, 536 U.S. 516 (2002); *California Motor Transport Co. v. Trucking Unlimited*, 404 U.S. 508 (1972)

[4] *FCC v. Fox Television Stations*, 567 U.S. 239 (2012)

[5] Mo. Const. art. II, §1; *State v. Jackson*, 969 S.W.2d 773 (Mo. banc 1998)

[6] *Tennessee v. Lane*, 541 U.S. 509 (2004); 42 U.S.C. §§12101–12188