

**Senate File 2380 - Reprinted**

SENATE FILE 2380  
BY COMMITTEE ON TECHNOLOGY

(SUCCESSOR TO SSB 3174)

(As Amended and Passed by the Senate March 10, 2026)

**A BILL FOR**

1 An Act relating to abusive litigation alleging internet  
2 site accessibility violations, and including applicability  
3 provisions.

4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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1 Section 1. NEW SECTION. **685A.1 Definitions.**

2 As used in this chapter, unless the context otherwise  
3 requires:

4 1. "Access violation" means any allegation that a public  
5 accommodation does not provide sufficient access under Tit. III  
6 of the federal Americans with Disabilities Act of 1990, 42  
7 U.S.C. §12181 et seq., under chapter 216, or under any other  
8 similar state or federal law relating to accessibility.

9 2. "Good-faith attempt" includes but is not limited to  
10 the utilization of an industry-recognized program or platform  
11 designed to assist internet site operators in complying  
12 with internet site accessibility regulations, the hiring or  
13 contracting with an entity that specializes in assisting internet  
14 site operators in complying with internet site accessibility  
15 regulations, or an attempt to comply with accessibility  
16 regulations deemed reasonable by the court.

17 3. "Public accommodation" means the same as defined in  
18 42 U.S.C. §2000a et seq. "Public accommodation" includes an  
19 internet site operated by a resident.

20 4. "Resident" means an individual domiciled in this state, or  
21 an entity organized under the laws of this state or authorized to  
22 transact business in this state and registered with the secretary  
23 of state.

24 Sec. 2. NEW SECTION. **685A.2 Civil action for determination**  
25 **of abusive litigation.**

26 1. The attorney general, on behalf of a class of residents  
27 pursuant to rule 1.261 of the Iowa rules of civil procedure,  
28 that is subject to litigation alleging an internet site access  
29 violation, or any resident who is subject to such litigation,  
30 may file a civil action against the party, attorney, or law firm  
31 that initiated such litigation for a determination of whether the  
32 litigation alleging an internet site access violation constitutes  
33 abusive litigation.

34 2. In determining whether litigation alleging an internet  
35 site access violation constitutes abusive litigation, the court

1 shall consider the totality of the circumstances to determine  
2 whether the primary purpose of the litigation alleging an  
3 internet site access violation is to obtain payment from the  
4 defendant due to the cost of defending the action rather than  
5 to remedy the internet site access violation. In making this  
6 determination, the court may consider, but is not limited to, the  
7 following factors:

8 a. The number of substantially similar actions filed by the  
9 same plaintiff, attorney, or law firm, and any history of such  
10 plaintiff, attorney, or law firm filing frivolous litigation or  
11 litigation declared abusive by a court in the past ten years.

12 b. The number of full-time employees employed by the  
13 defendant and the resources available to the defendant to engage  
14 in litigation.

15 c. The resources available to the defendant to correct the  
16 alleged internet site access violation.

17 d. Whether the jurisdiction or venue where the action  
18 is brought creates a substantial obstacle to defending the  
19 litigation.

20 e. Whether the filing party or attorney is a resident or is  
21 licensed to practice law in this state.

22 f. The nature of settlement discussions and the  
23 reasonableness of settlement offers and refusals to settle.  
24 Such settlement information shall be used only for purposes of  
25 this chapter and shall not otherwise alter applicable rules of  
26 evidence.

27 g. Whether factors supporting sanctions exist under rule  
28 1.413 of the Iowa rules of civil procedure and whether sanctions  
29 would be appropriate.

30 3. a. If a defendant in litigation alleging an internet  
31 site access violation makes a good-faith attempt to correct the  
32 alleged violation within thirty days after receiving written  
33 notice or being served with a petition containing sufficient  
34 detail to identify and correct the alleged violation, there shall  
35 be a rebuttable presumption that the subsequent initiation or

1 continuation of litigation constitutes abusive litigation.

2     b. The rebuttable presumption shall not apply if the alleged  
3 internet site access violation is not corrected, as determined by  
4 the court, within ninety days after written notice or service of  
5 the petition.

6     c. The court shall not determine whether the litigation is  
7 abusive until the expiration of the ninety-day period or until  
8 the alleged violation is corrected, whichever occurs first.

9     Sec. 3. NEW SECTION.     **685A.3 Attorney general**  
10 **determination.**

11     If the attorney general issues a written determination that  
12 litigation alleging an internet site access violation is not  
13 abusive and such written determination is attached to the  
14 petition in the litigation alleging an internet site access  
15 violation, there shall be a rebuttable presumption that the  
16 litigation is not abusive.

17     Sec. 4. NEW SECTION.     **685A.4 Remedies.**

18     1. If the court determines that litigation alleging an  
19 internet site access violation constitutes abusive litigation,  
20 the court may award to the prevailing party reasonable attorney  
21 fees and costs incurred in bringing the action under this chapter  
22 and in defending against the underlying abusive litigation.

23     2. In addition to attorney fees and costs, the court may  
24 award punitive damages or impose sanctions not to exceed three  
25 times the amount of attorney fees awarded under subsection 1.

26     3. At the conclusion of the underlying litigation alleging  
27 an internet site access violation, the court shall review any  
28 determination of whether the litigation is abusive and any  
29 award of attorney fees to determine the reasonableness of the  
30 award prior to entry of judgment. The results obtained in the  
31 litigation alleging an internet site access violation shall be  
32 weighed heavily, particularly if the plaintiff prevailed.

33     Sec. 5. NEW SECTION.     **685A.5 Repeal.**

34     If the federal department of justice issues standards  
35 concerning internet site accessibility under Tit. III of the

1 federal Americans with Disabilities Act of 1990, 42 U.S.C. §12181  
2 et seq., the attorney general shall notify the Iowa Code  
3 editor. Upon receipt of such notification, this chapter shall  
4 be repealed.

5 Sec. 6. APPLICABILITY. This Act applies to actions commenced  
6 on or after July 1, 2026.

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