

H.R. 5374, SHOP SAFE Act of 2021

As ordered reported by the House Committee on the Judiciary on September 29, 2021

By Fiscal Year, Millions of Dollars	2022	2022-2026	2022-2031
Direct Spending (Outlays)	0	0	0
Revenues	0	0	0
Increase or Decrease (-) in the Deficit	0	0	0
Spending Subject to Appropriation (Outlays)	0	0	0
Statutory pay-as-you-go procedures apply?	No	Mandate Effects	
Increases on-budget deficits in any of the four consecutive 10-year periods beginning in 2032?	No	Contains intergovernmental mandate?	No
		Contains private-sector mandate?	No

H.R. 5374 would amend the Trademark Act of 1946 to hold platforms that facilitate electronic commerce contributorily liable if a third party sells a counterfeit product that could affect the health or safety of a consumer on its platform. Such platforms would be required to take steps to prevent third parties from selling counterfeit products, such as by verifying the third party's identity, principal place of business, and contact information.

Because the bill would not require any action by the federal government, CBO estimates that H.R. 5374 would have no federal costs.

The CBO staff contact for this estimate is David Hughes. The estimate was reviewed by H. Samuel Papenfuss, Deputy Director of Budget Analysis.