

House \_\_\_\_\_ Amendment NO. \_\_\_\_\_

**Offered By**

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1 AMEND House Committee Substitute for House Bill Nos. 1887, 2361, 1913, 2862 & 2321, Page  
2 1, Section A, Line 2, by inserting after all of said section and line the following:  
3

4 "407.3007. 1. As used in this section, the following terms mean:

5 (1) "Artificial intelligence" or "AI":

6 (a) Any artificial system that performs tasks under varying and unpredictable  
7 circumstances without significant human oversight or that can learn from experience and  
8 improve performance when exposed to data sets;

9 (b) An artificial system developed in computer software, physical hardware, or other  
10 computer systems that solves tasks requiring human-like perception, cognition, planning,  
11 learning, communication, or physical action;

12 (c) An artificial system designed to think or act like a human, including cognitive  
13 architectures and neural networks;

14 (d) A set of techniques, including machine learning, that is designed to approximate a  
15 cognitive task; or

16 (e) An artificial system designed to act rationally, including an intelligent software agent  
17 or embodied robot that achieves goals using perception, planning, reasoning, learning,  
18 communicating, decision-making, and acting;

19 (2) "Mental health professional", the same as defined in section 632.005. The term  
20 "mental health professional" shall also include any person licensed in a profession regulated  
21 under chapter 337.

22 2. Any person or entity that develops or deploys artificial intelligence in the state shall  
23 not advertise or represent to the public that the AI is or is able to act as a mental health  
24 professional or is capable of providing therapy services, psychotherapy services, or a mental  
25 health diagnosis.

26 3. Any violation of this section shall be considered an unlawful practice under the  
27 Missouri merchandising practices act under this chapter.

28 4. The attorney general shall enforce the provisions of this section. Any individual may  
29 report violations of this section to the attorney general. If the attorney general finds that a  
30 violation occurred, the attorney general shall commence a civil action in a court of competent

Action Taken \_\_\_\_\_ Date \_\_\_\_\_

1 jurisdiction. If the court finds that a violation occurred, the court may grant damages, civil  
2 penalties, injunctive relief, attorney's fees, and any such other relief the court finds appropriate.  
3 Notwithstanding section 407.100 to the contrary, civil penalties shall be as follows:

4 (1) Ten thousand dollars for the first violation; or

5 (2) Twenty thousand dollars for any subsequent violation.

6 407.3475. 1. The provisions of this section shall be known and may be referred to as the  
7 "Megan Meier Act".

8 2. For purposes of this section, the following terms mean:

9 (1) "Account holder", a natural person who creates, maintains, or accesses an account on  
10 a social media platform;

11 (2) "Age verification", a commercially reasonable method of confirming the age of an  
12 account applicant consistent with industry standards and privacy protections;

13 (3) "Minor", a person under eighteen years of age;

14 (4) "Social media platform", an online service that allows users to create accounts, create  
15 or view user-generated content, interact socially, and use algorithmically curated feeds. The  
16 term "social media platform" does not include:

17 (a) Services primarily used for email, direct messaging, or business collaboration;

18 (b) Educational platforms used by schools;

19 (c) Online video gaming services with integrated chat where social interaction is  
20 incidental; and

21 (d) Internet service providers;

22 (5) "Verified parent or guardian", a person with legal custody of a minor, verified  
23 through the procedures required under this section.

24 3. No social media platform shall permit a person under sixteen years of age to create or  
25 maintain an account separate from a parent or guardian.

26 4. A minor sixteen years of age or older may hold an account only with the verified  
27 consent of a parent or legal guardian.

28 5. Social media platforms may allow account creation but shall provide parents or  
29 guardians the ability to:

30 (1) Access and review account activity;

31 (2) Request deletion of the minor's account; and

32 (3) Limit messaging features between the minor and unverified adult accounts.

33 6. A social media platform shall implement a secure age-verification process for all  
34 Missouri users prior to account creation.

35 7. Age-verification data shall not be retained by the social media platform beyond what  
36 is strictly necessary for compliance with the provisions of this section.

37 8. Social media platforms shall use age-verification techniques that:

38 (1) Protect user privacy; and

1           (2) Are independently certifiable as compliant with standards for data minimization and  
2 security.

3           9. A social media platform shall immediately terminate any account determined to  
4 belong to a person under sixteen years of age.

5           10. A verified parent or guardian may request deletion of a minor's account and the  
6 social media platform shall comply within ten business days of such request. Social media  
7 platforms shall provide a simple, accessible process for parents or guardians to make such  
8 requests.

9           11. A social media platform shall not:

10           (1) Use addictive or manipulative design features specifically targeting minors, including  
11 infinite-scroll mechanisms or auto-playing content without time-limit controls;

12           (2) Permit direct messaging from adults to minors unless the adult is a verified contact  
13 who is verified by a parent or guardian; or

14           (3) Serve any paid advertising, sponsored content, or commercial promotion to any  
15 minor under sixteen years of age who holds an account under this section.

16           537.039. 1. As used in this section, the following terms mean:

17           (1) "Artificial intelligence", an engineered or machine-based system that varies in its  
18 level of autonomy and that can, for explicit or implicit objectives, infer from the input it receives  
19 how to generate outputs that can influence physical or virtual environments;

20           (2) "Explicit sexual material", any pictorial or three-dimensional material depicting  
21 human masturbation, deviant sexual intercourse, sexual intercourse, direct physical stimulation  
22 or unclothed genitals, sadomasochistic abuse, or emphasizing the depiction of postpubertal  
23 human genitals. The term "explicit sexual material" shall not include works of art or of  
24 anthropological significance.

25           2. No person or entity shall:

26           (1) Replicate or alter through the use of artificial intelligence an image or voice of an  
27 individual to generate explicit sexual material; or

28           (2) Use the likeness of an individual through the use of artificial intelligence for explicit  
29 sexual material

30  
31 unless the person or entity has the individual's express written consent.

32           3. Any individual injured by a person or entity for a violation of subsection 2 of this  
33 section may bring a cause of action against the person or entity to recover actual damages as a  
34 result of the violation. Such individual shall also be entitled to recover attorney's fees and  
35 costs."; and

1 Further amend said bill, Page 4, Section 537.043, Line 106, by inserting after all of said section  
2 and line the following:

3  
4 "573.010. As used in this chapter the following terms shall mean:

5 (1) "Adult cabaret", a nightclub, bar, juice bar, restaurant, bottle club, or other  
6 commercial establishment, regardless of whether alcoholic beverages are served, which regularly  
7 features persons who appear semi-nude;

8 (2) "Artificially generated visual depiction", includes depictions that are obscene and  
9 indistinguishable from a real minor, morphed from a real minor's image, or generated without  
10 any actual minor involvement;

11 (3) "Characterized by", describing the essential character or dominant theme of an item;

12 [~~(3)~~] (4) "Child", any person under the age of fourteen;

13 [~~(4)~~] (5) "Child pornography":

14 (a) Any obscene material or performance depicting sexual conduct, sexual contact as  
15 defined in section 566.010, or a sexual performance and which has as one of its participants or  
16 portrays as an observer of such conduct, contact, or performance a minor; or

17 (b) Any visual depiction or artificially generated visual depiction, including any  
18 photograph, film, video, picture, or computer or computer-generated image or picture, whether  
19 made or produced by electronic, mechanical, or other means, of sexually explicit conduct where:

20 a. The production of such visual depiction or artificially generated visual depiction  
21 involves the use of a minor engaging in sexually explicit conduct;

22 b. Such visual depiction or artificially generated visual depiction is a digital image,  
23 computer image, or computer-generated image that is, or is indistinguishable from, that of a  
24 minor engaging in sexually explicit conduct, in that the depiction is such that an ordinary person  
25 viewing the depiction would conclude that the depiction is of an actual minor engaged in  
26 sexually explicit conduct; or

27 c. Such visual depiction or artificially generated visual depiction has been created,  
28 adapted, or modified to show that an identifiable minor is engaging in sexually explicit conduct.

29 "Identifiable minor" means a person who was a minor at the time the visual depiction or  
30 artificially generated visual depiction was created, adapted, or modified; or whose image as a  
31 minor was used in creating, adapting, or modifying the visual depiction or artificially generated  
32 visual depiction; and who is recognizable as an actual person by the person's face, likeness, or  
33 other distinguishing characteristic, such as a unique birthmark or other recognizable feature. The  
34 term identifiable minor shall not be construed to require proof of the actual identity of the  
35 identifiable minor;

36 [~~(5)~~] (6) "Employ", "employee", or "employment", any person who performs any service  
37 on the premises of a sexually oriented business, on a full-time, part-time, or contract basis,  
38 whether or not the person is denominated an employee, independent contractor, agent, or

1 otherwise. Employee does not include a person exclusively on the premises for repair or  
2 maintenance of the premises or for the delivery of goods to the premises;

3 ~~[(6)]~~ (7) "Explicit sexual material", any pictorial or three-dimensional material depicting  
4 human masturbation, deviate sexual intercourse, sexual intercourse, direct physical stimulation  
5 or unclothed genitals, sadomasochistic abuse, or emphasizing the depiction of postpubertal  
6 human genitals; provided, however, that works of art or of anthropological significance shall not  
7 be deemed to be within the foregoing definition;

8 ~~[(7)]~~ (8) "Furnish", to issue, sell, give, provide, lend, mail, deliver, transfer, circulate,  
9 disseminate, present, exhibit or otherwise provide;

10 ~~[(8)]~~ (9) "Material", anything printed or written, or any picture, drawing, photograph,  
11 motion picture film, videotape or videotape production, or pictorial representation, or any  
12 artificially generated visual depiction, or any recording or transcription, or any mechanical,  
13 chemical, or electrical reproduction, or stored computer data, or anything which is or may be  
14 used as a means of communication. Material includes undeveloped photographs, molds, printing  
15 plates, stored computer data and other latent representational objects;

16 ~~[(9)]~~ (10) "Minor", any person less than eighteen years of age;

17 ~~[(10)]~~ (11) "Nudity" or "state of nudity", the showing of the human genitals, pubic area,  
18 vulva, anus, anal cleft, or the female breast with less than a fully opaque covering of any part of  
19 the nipple or areola;

20 ~~[(11)]~~ (12) "Obscene", any material or performance if, taken as a whole:

21 (a) Applying contemporary community standards, its predominant appeal is to prurient  
22 interest in sex; and

23 (b) The average person, applying contemporary community standards, would find the  
24 material depicts or describes sexual conduct in a patently offensive way; and

25 (c) A reasonable person would find the material lacks serious literary, artistic, political or  
26 scientific value;

27 ~~[(12)]~~ (13) "Operator", any person on the premises of a sexually oriented business who  
28 causes the business to function, puts or keeps the business in operation, or is authorized to  
29 manage the business or exercise overall operational control of the business premises. A person  
30 may be found to be operating or causing to be operated a sexually oriented business whether or  
31 not such person is an owner, part owner, or licensee of the business;

32 ~~[(13)]~~ (14) "Performance", any play, motion picture film, videotape, dance or exhibition  
33 performed before an audience of one or more;

34 ~~[(14)]~~ (15) "Pornographic for minors", any material or performance if the following  
35 apply:

36 (a) The average person, applying contemporary community standards, would find that  
37 the material or performance, taken as a whole, has a tendency to cater or appeal to a prurient  
38 interest of minors; and

1 (b) The material or performance depicts or describes nudity, sexual conduct, the  
2 condition of human genitals when in a state of sexual stimulation or arousal, or sadomasochistic  
3 abuse in a way which is patently offensive to the average person applying contemporary adult  
4 community standards with respect to what is suitable for minors; and

5 (c) The material or performance, taken as a whole, lacks serious literary, artistic,  
6 political, or scientific value for minors;

7 ~~[(15)]~~ (16) "Premises", the real property upon which a sexually oriented business is  
8 located, and all appurtenances thereto and buildings thereon, including but not limited to the  
9 sexually oriented business, the grounds, private walkways, and parking lots or parking garages or  
10 both;

11 ~~[(16)]~~ (17) "Promote", to manufacture, issue, sell, provide, mail, deliver, transfer,  
12 transmute, publish, distribute, circulate, disseminate, present, exhibit, or advertise, or to offer or  
13 agree to do the same, by any means including a computer;

14 ~~[(17)]~~ (18) "Regularly", the consistent and repeated doing of the act so described;

15 ~~[(18)]~~ (19) "Sadomasochistic abuse", flagellation or torture by or upon a person as an act  
16 of sexual stimulation or gratification;

17 ~~[(19)]~~ (20) "Semi-nude" or "state of semi-nudity", the showing of the female breast  
18 below a horizontal line across the top of the areola and extending across the width of the breast  
19 at such point, or the showing of the male or female buttocks. Such definition includes the lower  
20 portion of the human female breast, but shall not include any portion of the cleavage of the  
21 female breasts exhibited by a bikini, dress, blouse, shirt, leotard, or similar wearing apparel  
22 provided the areola is not exposed in whole or in part;

23 ~~[(20)]~~ (21) "Sexual conduct", actual or simulated, normal or perverted acts of human  
24 masturbation; deviate sexual intercourse; sexual intercourse; or physical contact with a person's  
25 clothed or unclothed genitals, pubic area, buttocks, or the breast of a female in an act of apparent  
26 sexual stimulation or gratification or any sadomasochistic abuse or acts including animals or any  
27 latent objects in an act of apparent sexual stimulation or gratification;

28 ~~[(21)]~~ (22) "Sexually explicit conduct", actual or simulated:

29 (a) Sexual intercourse, including genital-genital, oral-genital, anal-genital, or oral-anal,  
30 whether between persons of the same or opposite sex;

31 (b) Bestiality;

32 (c) Masturbation;

33 (d) Sadistic or masochistic abuse; or

34 (e) Lascivious exhibition of the genitals or pubic area of any person;

35 ~~[(22)]~~ (23) "Sexually oriented business" includes:

36 (a) An adult bookstore or adult video store. "Adult bookstore" or "adult video store"  
37 means a commercial establishment which, as one of its principal business activities, offers for  
38 sale or rental for any form of consideration any one or more of the following: books, magazines,

- 1 periodicals, or other printed matter, or photographs, films, motion pictures, video cassettes,  
2 compact discs, digital video discs, slides, or other visual representations which are characterized  
3 by their emphasis upon the display of specified sexual activities or specified anatomical areas. A  
4 principal business activity exists where the commercial establishment:
- 5 a. Has a substantial portion of its displayed merchandise which consists of such items; or
  - 6 b. Has a substantial portion of the wholesale value of its displayed merchandise which  
7 consists of such items; or
  - 8 c. Has a substantial portion of the retail value of its displayed merchandise which  
9 consists of such items; or
  - 10 d. Derives a substantial portion of its revenues from the sale or rental, for any form of  
11 consideration, of such items; or
  - 12 e. Maintains a substantial section of its interior business space for the sale or rental of  
13 such items; or
  - 14 f. Maintains an adult arcade. "Adult arcade" means any place to which the public is  
15 permitted or invited wherein coin-operated or slug-operated or electronically, electrically, or  
16 mechanically controlled still or motion picture machines, projectors, or other image-producing  
17 devices are regularly maintained to show images to five or fewer persons per machine at any one  
18 time, and where the images so displayed are characterized by their emphasis upon matter  
19 exhibiting specified sexual activities or specified anatomical areas;
- 20 (b) An adult cabaret;
  - 21 (c) An adult motion picture theater. "Adult motion picture theater" means a commercial  
22 establishment where films, motion pictures, video cassettes, slides, or similar photographic  
23 reproductions, which are characterized by their emphasis upon the display of specified sexual  
24 activities or specified anatomical areas are regularly shown to more than five persons for any  
25 form of consideration;
  - 26 (d) A semi-nude model studio. "Semi-nude model studio" means a place where persons  
27 regularly appear in a state of semi-nudity for money or any form of consideration in order to be  
28 observed, sketched, drawn, painted, sculptured, photographed, or similarly depicted by other  
29 persons. Such definition shall not apply to any place where persons appearing in a state of semi-  
30 nudity do so in a modeling class operated:
    - 31 a. By a college, junior college, or university supported entirely or partly by taxation;
    - 32 b. By a private college or university which maintains and operates educational programs  
33 in which credits are transferable to a college, junior college, or university supported entirely or  
34 partly by taxation; or
    - 35 c. In a structure:
      - 36 (i) Which has no sign visible from the exterior of the structure and no other advertising  
37 that indicates a semi-nude person is available for viewing; and

1 (ii) Where, in order to participate in a class, a student must enroll at least three days in  
2 advance of the class;

3 (e) A sexual encounter center. "Sexual encounter center" means a business or  
4 commercial enterprise that, as one of its principal purposes, purports to offer for any form of  
5 consideration physical contact in the form of wrestling or tumbling between two or more persons  
6 when one or more of the persons is semi-nude;

7 ~~[(23)]~~ (24) "Sexual performance", any performance, or part thereof, which includes  
8 sexual conduct by a child who is less than eighteen years of age;

9 ~~[(24)]~~ (25) "Specified anatomical areas" include:

10 (a) Less than completely and opaquely covered: human genitals, pubic region, buttock,  
11 and female breast below a point immediately above the top of the areola; and

12 (b) Human male genitals in a discernibly turgid state, even if completely and opaquely  
13 covered;

14 ~~[(25)]~~ (26) "Specified sexual activity", includes any of the following:

15 (a) Intercourse, oral copulation, masturbation, or sodomy; or

16 (b) Excretory functions as a part of or in connection with any of the activities described  
17 in paragraph (a) of this subdivision;

18 ~~[(26)]~~ (27) "Substantial", at least thirty percent of the item or items so modified;

19 ~~[(27)]~~ (28) "Visual depiction", includes undeveloped film and videotape, and data stored  
20 on computer disk or by electronic means which is capable of conversion into a visual image.

21 573.550. 1. A person commits the offense of providing explicit sexual material to a  
22 student if such person is affiliated with a public or private elementary or secondary school in an  
23 official capacity and, knowing of its content and character, such person provides, assigns,  
24 supplies, distributes, loans, or coerces acceptance of or the approval of the providing of explicit  
25 sexual material to a student or possesses with the purpose of providing, assigning, supplying,  
26 distributing, loaning, or coercing acceptance of or the approval of the providing of explicit  
27 sexual material to a student.

28 2. The offense of providing explicit sexual material to a student is a class A  
29 misdemeanor.

30 3. As used in this section, the following terms shall mean:

31 (1) "Explicit sexual material", any pictorial, three-dimensional, or visual depiction or  
32 artificially generated visual depiction, including any photography, film, video, picture, or  
33 computer-generated image, showing human masturbation, deviate sexual intercourse as defined  
34 in section 566.010, sexual intercourse, direct physical stimulation of genitals, sadomasochistic  
35 abuse, or emphasizing the depiction of postpubertal human genitals; provided, however, that  
36 works of art, when taken as a whole, that have serious artistic significance, or works of  
37 anthropological significance, or materials used in science courses, including but not limited to

1 materials used in biology, anatomy, physiology, and sexual education classes shall not be deemed  
2 to be within the foregoing definition;

3 (2) "Person affiliated with a public or private elementary or secondary school in an  
4 official capacity", an administrator, teacher, librarian, media center personnel, substitute teacher,  
5 teacher's assistant, student teacher, law enforcement officer, school board member, school bus  
6 driver, guidance counselor, coach, guest lecturer, guest speaker, or other nonschool employee  
7 who is invited to present information to students by a teacher, administrator, or other school  
8 employee. Such term shall not include a student enrolled in the elementary or secondary  
9 school."; and

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11 Further amend said bill by amending the title, enacting clause, and intersectional references  
12 accordingly.