

SECOND REGULAR SESSION

HOUSE BILL NO. 2321

103RD GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE LUCAS.

4942H.01I

JOSEPH ENGLER, Chief Clerk

AN ACT

To amend chapter 1, RSMo, by adding thereto one new section relating to content created through the use of artificial intelligence, with penalty provisions.

Be it enacted by the General Assembly of the state of Missouri, as follows:

Section A. Chapter 1, RSMo, is amended by adding thereto one new section, to be known as section 1.2052, to read as follows:

1.2052. 1. This section shall be known and may be cited as the "AI-Generated Content Accountability and Privacy Protection Act of 2026".

2. As used in this section, the following terms mean:

(1) "Algorithmically generated or altered content", any image, video, or audio recording that has been wholly or substantially created, altered, or synthesized by automated or algorithmic means, including through the use of artificial intelligence or machine learning technologies, in a manner that materially changes a person's appearance, voice, or likeness;

(2) "Consent", explicit, informed, freely given, and revocable authorization by the person whose image, likeness, or voice is depicted. Consent shall be documented in writing, electronically, or through another verifiable method;

(3) "Online public communication platform", any service or website that allows users to share content with the general public.

3. (1) Any person who knowingly publishes, distributes, or makes publicly available any algorithmically generated or altered content that represents a depicted individual without the consent of that individual shall be subject to imprisonment for not more than two years or a fine of not more than twenty thousand dollars, or both.

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

18 (2) If the violation under subdivision (1) of this subsection occurs through an
19 online public communication platform, the person shall be subject to imprisonment for
20 not more than two years or a fine of not more than fifty thousand dollars, or both.

21 4. (1) Any person who knowingly creates, publishes, or distributes any
22 algorithmically generated or altered content of a sexual or pornographic nature without
23 the consent of a depicted individual shall be subject to imprisonment for not more than
24 two years or a fine of not more than sixty-five thousand dollars, or both.

25 (2) If the violation under subdivision (1) of this subsection occurs through an
26 online public communication platform, the person shall be subject to imprisonment for
27 not more than three years or a fine of not more than eighty thousand dollars, or both.

28 (3) If the violation under subdivision (1) of this subsection involves the
29 distribution of an algorithmically generated or altered content that is sexual or
30 pornographic in nature and results in serious harm to the dignity, reputation, or safety
31 of the depicted individual results, the person shall be subject to imprisonment for not
32 more than five years or a fine of not more than one hundred ten thousand dollars, or
33 both.

34 5. The provisions of this section shall not apply to:

35 (1) Content that is clearly artistic, parodic, satirical, or intended for legitimate
36 public interest or educational purposes, provided that the content includes a clear and
37 conspicuous notice stating that it is artificially generated or altered;

38 (2) Synthetic content created or shared without intent to harm and that does not
39 cause material injury to the dignity, reputation, or privacy of the person depicted; or

40 (3) Content used for bona fide research, journalism, or technological testing,
41 with appropriate safeguards and disclosure.

42 6. (1) Any verification or age-confirmation systems used shall comply with data
43 minimization and privacy-by-design principles.

44 (2) No biometric, facial recognition, or identification data collected for
45 compliance purposes shall be retained or sold by third parties.

46 7. (1) On or before August 28, 2028, the attorney general shall submit a report
47 to the general assembly assessing:

48 (a) The effectiveness and proportionality of penalties;

49 (b) The clarity and enforceability of definitions; and

50 (c) The impact on free speech, artistic expression, and research.

51 (2) The report shall include recommendations for updates or amendments based
52 on technological and legal developments.