HCS HBs 2035 & 2350 -- ARTIFICIALLY GENERATED MATERIAL

SPONSOR: Farnan

COMMITTEE ACTION: Voted "Do Pass with HCS" by the Standing Committee on Emerging Issues by a vote of 10 to 0 with 1 member voting present. Voted "Do Pass" by the Standing Committee on Rules-Administrative by a vote of 10 to 0.

The following is a summary of the House Committee Substitute for HBs 2035 & 2350.

This bill makes it unlawful for a person or entity to:

(1) Use artificial intelligence (AI) to replicate or alter an image or voice of an individual to generate explicit sexual material, unless the person or entity received express written consent; or

(2) Use the likeness of an individual by using AI for explicit sexual material, unless the person or entity received express written consent.

Any individual injured through a violation of these provisions can bring a civil cause of action against the person or entity for actual damages, attorney's fees and costs.

Currently, the criminal offense for possession or distribution of child pornography includes visual depictions in photographs, films, videos, pictures, or computer-generated images that involves:

(1) The production of such visual depiction in which a minor is engaging in sexually explicit conduct;

(2) The use of digital, computer, or computer-generated images that depicts a minor engaging in sexually explicit conduct; or

(3) The creation, adaptation, or modification of a visual depiction that shows an identifiable minor engaging in sexually explicit conduct.

This bill adds "artificially generated visual depiction", as defined in the bill, to the definition of "child pornography".

Currently, the definition of "material" in relation to pornography criminal offenses includes, but is not limited to,

anything printed or written, pictures, drawings, photographs, films, videotapes or videotape productions, and pictorial representations. This bill adds "artificially generated visual depiction" to the definition.

Currently, the definition of "explicit sexual material" in relation to explicit sexual material criminal offenses includes, but is not limited to, any pictorial, three-dimensional, or visual depictions. This bill adds "artificially generated visual depiction" to the definition.

The following is a summary of the public testimony from the committee hearing. The testimony was based on the introduced version of the bill.

PROPONENTS: Supporters say that recent technology has outpaced the law's ability to properly regulate such systems. Supporters further state that without legislative safeguards put into place, people are at the whim of AI content creators who produce and show highly sexualized images. This is especially harmful for minors who are depicted in a sexual manner. Supporters also state that the provisions of this bill send a clear, moral-based message that Missouri will not allow such content.

Testifying in person for the bill were Representative Farnan; and Missouri Catholic Conference.

OPPONENTS: There was no opposition voiced to the committee.

Written testimony has been submitted for this bill. The full written testimony and witnesses testifying online can be found under Testimony on the bill page on the House website.