

HB 2035 -- AI-GENERATED MATERIAL

SPONSOR: Farnan

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, and a penalty not to exceed \$10,000 for each violation.

The Missouri Attorney General may investigate any suspected violation of these provisions.

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.