

CONFERENCE COMMITTEE REPORT

HB 119

2026 Regular Session

Fontenot

May 31, 2026

To the Honorable Speaker and Members of the House of Representatives and the Honorable President and Members of the Senate.

Ladies and Gentlemen:

We, the conferees appointed to confer over the disagreement between the two houses concerning House Bill No. 119 by Representative Fontenot, recommend the following concerning the Reengrossed bill:

1. That Senate Floor Amendments Nos. 1, 3, 4, 5, and 7 through 14 by Senator Hodges (#2812) be adopted.
2. That Senate Floor Amendments Nos. 2, 6, 15, and 16 by Senator Hodges (#2812) be rejected.
3. That the set of Senate Floor Amendments by Senator Morris (#2328) be rejected.
4. That the following amendments to the Reengrossed bill be adopted:

AMENDMENT NO. 1

On page 1, delete lines 12 and 13 in their entirety and insert the following:

"Section 1. R.S. 14:73.13(A) and (C)(introductory paragraph), (3), and (4), 73.14(C)(introductory paragraph), (3), and (4) and (D), and 81.1.1(D)(1) are hereby amended and reenacted and R.S. 14:73.13(C)(5) and (6), 73.14(C)(5) and (6), 73.14.1, and 81.1.1(A)(3) are hereby enacted to read as follows:

§73.13. Unlawful deepfakes

A.(1) Any person who, with knowledge that the material is a deepfake depicting a minor, knowingly creates or possesses material that depicts a minor engaging in sexual conduct shall be punished by imprisonment at hard labor for not less than five nor more than twenty years, or a fine of not more than ten thousand dollars, or both. At least five years of the sentence of imprisonment imposed shall be served without benefit of parole, probation, or suspension of sentence.

(2) If the offender is an educator and the victim is a student, the offender may be imprisoned for an additional two years with or without hard labor, to be served consecutively to the sentence imposed under this Section.

* * *

C. For the purposes of this Section, the following terms have the following meanings:

* * *

(3) "Educator" means any administrator, coach, instructor, paraprofessional, student aide, teacher, or teacher aide at any public or nonpublic elementary school, secondary school, or high school in this state who is assigned, employed, or working at the school or school system where the victim is enrolled as a student on a full-time, part-time, or temporary basis.

~~(3)~~(4) "Minor" means a person under the age of eighteen years.

~~(4)~~(5) "Sexual conduct" means any of the following, whether actual or simulated: sexual intercourse, oral copulation, anal intercourse, anal oral copulation, masturbation, bestiality, sexual sadism, sexual masochism, penetration of the vagina or rectum by any object in a lewd or lascivious manner, exhibition of the genitals or pubic or rectal area for the purpose of sexual stimulation of the viewer, or excretory functions performed in a lewd or lascivious manner, whether or not any of the conduct is performed alone or between members of the same or opposite sex or

between humans and animals. An act is simulated when it gives the appearance of being actual sexual conduct.

(6) "Student" means any person who is under the age of seventeen years and is enrolled at any public or nonpublic elementary school, secondary school, or high school in this state."

AMENDMENT NO. 2

On page 2, line 6, change "Title VIII" to "Title VII"

AMENDMENT NO. 3

On page 3, line 4, change "Whoever" to "Except as provided in Paragraphs (2) and (3) of this Subsection, whoever"

AMENDMENT NO. 4

On page 3, between lines 7 and 8, insert the following:

"(2) If the offender is an educator and the victim is a student, the offender may be imprisoned for an additional two years with or without hard labor, to be served consecutively to the sentence imposed under this Section."

AMENDMENT NO. 5

On page 3, at the beginning of line 8, change "(2)" to "(3)"

AMENDMENT NO. 6

On page 3, line 9, change "Title VIII" to "Title VII"

Respectfully submitted,

Representative Chad Boyer

Senator Valarie Hodges

Representative Bryan Fontenot

Senator John C. "Jay" Morris III

Representative Debbie Villio

Senator Caleb Seth Kleinpeter

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

CONFERENCE COMMITTEE REPORT DIGEST

HB 119

2026 Regular Session

Fontenot

Keyword and oneliner of the instrument as it left the House

CRIME: Provides relative to unlawful conduct involving images of another person created by artificial intelligence

Report adopts Senate amendments to:

1. Within the present law (R.S. 14:73.14) crime of unlawful dissemination or sale of images of another created by AI:
 - (a) Provide an additional penalty of two years with or without hard labor, to be served consecutively with the underlying offense at the discretion of the sentencing judge, when the offender is an educator and the depicted person is a student of the school where the educator is assigned, employed, or working at the time of the offense.
 - (b) Define the terms "educator" and "student".
2. Define the terms "educator" and "student" within the proposed law (R.S. 14:73.14.1) crime of unlawful possession of images of another created by AI.
3. Make technical changes.

Report rejects Senate amendments which would have:

1. Within the present law (R.S. 14:73.13) crime of unlawful deepfakes and the proposed law (R.S. 14:73.14.1) crime of unlawful possession of images of another created by AI, provided for varying penalties that included the following:
 - (a) The status of the offender as a teacher and the victim as a student.
 - (b) Dispositions based on the crime of sexting, Families In Need of Services, and juvenile delinquency proceedings based on the age and conduct of the offender.
2. Defined the terms "educator" and "student" within the present law crime of unlawful deepfakes.
3. Made technical changes.

Report amends the bill to:

1. Within the present law (R.S. 14:73.13) crime of unlawful deepfakes:
 - (a) Provide an additional penalty of two years with or without hard labor, to be served consecutively with the underlying offense at the discretion of the sentencing judge, when the offender is an educator and the depicted person

is a student of the school where the educator is assigned, employed, or working at the time of the offense.

- (b) Define the terms "educator" and "student".
- 2. Within the present law (R.S. 14:73.14) crime of unlawful dissemination or sale of images of another created by AI, provide that the disposition of an offender who is under the age of 14 years shall be governed exclusively by the provisions of present law (Title VII of the La. Children's Code), relative to Families in Need of Services.
- 3. Within the proposed law (R.S. 14:73.14.1) crime of unlawful possession of images of another created by AI, provide for varying penalties that included the following:
 - (a) The status of the offender as a teacher and the victim as a student.
 - (b) Disposition of an offender who is under the age of 14 years exclusively by the provisions of present law (Title VII of the La. Children's Code), relative to Families in Need of Services.
- 4. Make technical changes.

Digest of the bill as proposed by the Conference Committee

Present law (R.S. 14:73.13) provides for the crime of unlawful deepfakes and provides for penalties.

Proposed law retains present law and provides that if the offender is an educator and the victim is a student, the offender may be imprisoned for an additional two years with or without hard labor, to be served consecutively to the sentence imposed under present law.

Proposed law defines the terms "educator" and "student" for the purposes of present law and proposed law (R.S. 14:73.13, 73.14, and 73.14.1).

Present law (R.S. 14:73.14) provides for the crime of unlawful dissemination or sale of images of another created by artificial intelligence.

Present law provides for a penalty of imprisonment for not more than six months, a fine of not more \$750, or both.

Proposed law changes the penalties as follows:

- (1) From imprisonment of not more than six months or a fine of not more than \$750, or both, to imprisonment with or without hard labor for not more than one year or a fine of not more than \$1,000, or both.
- (2) When the depicted person is a minor, imprisonment with or without hard labor for not more than five years with at least one year of the sentence being without benefit of probation, suspension of sentence, or parole.
- (3) If the offender is an educator and the victim is a student, imprisonment for an additional two years with or without hard labor at the discretion of the court, to be served consecutively to the sentence imposed under present law.
- (4) If the offender is under the age of 14 years, the disposition shall be governed exclusively by the provisions of present law (Title VII of the La. Children's Code) relative to Families in Need of Services.

Proposed law (R.S. 14:73.14.1) creates the crime of unlawful possession of images of another created by artificial intelligence and provides for elements, definitions, and exceptions.

Proposed law further provides penalties as follows:

- (1) Imprisonment with or without hard labor for not more than five years with at least one year of the sentence imposed to be served without benefit of parole, probation, or suspension of sentence.
- (2) If the offender is an educator and the victim is a student, imprisonment for an additional two years with or without hard labor at the discretion of the court, to be served consecutively to the sentence imposed under proposed law.
- (3) If the offender is under the age of 14 years, the disposition shall be governed exclusively by the provisions of present law (Title VII of the La. Children's Code) relative to Families in Need of Services.

Present law (R.S. 14:81.1.1) provides for the crime of sexting.

Proposed law retains present law and further prohibits a person under the age of 17 from unlawfully disseminating, possessing, or selling images of another created by artificial intelligence.

Present law provides that an offender who violates certain provisions of present law (R.S. 14:81.1(A)(1)) is subject to disposition in accordance with present law (Title VII of the La. Children's Code).

Proposed law retains present law and provides that disposition in accordance with present law (Title VII of the La. Children's Code) shall govern a violation of proposed law.

Proposed law requires the La. Dept. of Education to develop and provide information to schools to inform students and their parents of the expected consequences for dissemination, sale, or possession of images of another created by artificial intelligence.

Present law (R.S. 17:3996) provides a list of laws from which charter schools are not exempt.

Proposed law retains present law and adds the requirement for charter schools to inform students and parents of the consequences for dissemination, sale, or possession of images of another created by artificial intelligence.

Proposed law shall be cited and referred to as "The Ivy Daniels Act".

(Amends R.S. 14:73.13(A) and (C)(intro. para.), (3), and (4), 73.14(C)(intro. para.), (3), and (4) and (D), and 81.1.1(D)(1); Adds R.S. 14:73.13(C)(5) and (6), 73.14(C)(5) and (6), 73.14.1, and 81.1.1(A)(3) and R.S. 17:416.20.1 and 3996(B)(92))