The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Whitney Kauffeld.

DIGEST

SB 175 Original 2023 Regular Session Stine

Proposed law creates the crime of "unlawful deepfakes involving minors", which is the creation, distribution or possession of any sexually explicit material depicting a minor using deepfake technology, and will be penalized by imprisonment at hard labor for less than five and not more than 20 years, a fine of not more than $10,000, or both.

Proposed law further provides that "unlawful deepfakes involving minors" is the promotion, advertisement or sale of any sexually explicit material depicting a minor using Deepfake technology and will be penalized by imprisonment at hard labor for not less than 10 and not more than 50 years, a fine of $50,000, or both.

Proposed law creates the crime of "unlawful use of a digital image and likeness", which is the use of the digital image and likeness of another individual for any commercial or non-commercial purpose without obtaining the express written consent of the individual and is to be punished by a fine of not more than $5,000 for each violation.

Proposed law defines "digital image and likeness", "deepfake technology", and "minor".

Proposed law provides for severability in the event one or more provisions of present law are found to be unconstitutional.

Effective August 1, 2023.

(Adds R.S. 14:91.5.1 and 91.5.2)