

**LEGISLATIVE FISCAL OFFICE**  
**Fiscal Note**



Fiscal Note On: **SB 175** SLS 23RS 373

Bill Text Version: **ORIGINAL**

Opp. Chamb. Action:

Proposed Amd.:

Sub. Bill For.:

<b>Date:</b> April 13, 2023	11:01 AM	<b>Author:</b> STINE
<b>Dept./Agy.:</b> Corrections		<b>Analyst:</b> Daniel Druilhet
<b>Subject:</b> Deepfake Technology and Minors		

CRIME/PUNISHMENT

OR SEE FISC NOTE GF EX

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Criminalizes deepfakes involving minors and defines the rights to digital image and likeness. (8/1/23)

Proposed law creates the crime of unlawful deep fakes involving minors which prohibits anyone from knowingly creating, distributing, or possessing any sexually explicit material depicting a minor using deepfake technology. Proposed law assesses punishment for committing the crime of unlawful deep fakes involving minors as imprisonment at hard labor for no less than five years nor more than 20 years or a fine of no more than \$10,000, or both.

Proposed law assesses punishment of imprisonment for no less than 10 years nor more than 50 years, a fine of no more than \$50,000, or both, for any person who knowingly promotes, advertises, or sells any sexually explicit material depicting a minor using deepfake technology. Proposed law assesses a fine of no more than \$5,000 for each violation for any person who uses the digital image and likeness of another individual without their express written consent.

<b>EXPENDITURES</b>	<b>2023-24</b>	<b>2024-25</b>	<b>2025-26</b>	<b>2026-27</b>	<b>2027-28</b>	<b>5 -YEAR TOTAL</b>
State Gen. Fd.	SEE BELOW	SEE BELOW	SEE BELOW	SEE BELOW	SEE BELOW	
Agy. Self-Gen.	\$0	\$0	\$0	\$0	\$0	<b>\$0</b>
Ded./Other	\$0	\$0	\$0	\$0	\$0	<b>\$0</b>
Federal Funds	\$0	\$0	\$0	\$0	\$0	<b>\$0</b>
Local Funds	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<b><u>\$0</u></b>
<b>Annual Total</b>						
<b>REVENUES</b>	<b>2023-24</b>	<b>2024-25</b>	<b>2025-26</b>	<b>2026-27</b>	<b>2027-28</b>	<b>5 -YEAR TOTAL</b>
State Gen. Fd.	\$0	\$0	\$0	\$0	\$0	<b>\$0</b>
Agy. Self-Gen.	\$0	\$0	\$0	\$0	\$0	<b>\$0</b>
Ded./Other	\$0	\$0	\$0	\$0	\$0	<b>\$0</b>
Federal Funds	\$0	\$0	\$0	\$0	\$0	<b>\$0</b>
Local Funds	SEE BELOW	SEE BELOW	SEE BELOW	SEE BELOW	SEE BELOW	
<b>Annual Total</b>						

**EXPENDITURE EXPLANATION**

Proposed law may result in an indeterminable increase in SGF expenditures in the Department of Public Safety and Corrections – Corrections Services (DPSC – CS) if a person is convicted of knowingly creating, distributing, possessing, promoting, advertising, or selling any sexually explicit material depicting a minor using deepfake technology. The exact fiscal impact of the passage of this legislation is indeterminable, since it creates a new crime, and it is not known how many people will be convicted or the length of the sentences assessed with those convictions as a result of its potential enactment.

SGF expenditures will increase by \$101.76 per offender per day to the extent that an offender is convicted and then subsequently housed in a state facility or \$26.39 per offender per day for a state offender housed in a local facility. An offender sentenced to the custody of the DPSC – CS for one year would increase expenditures by \$37,142.40 (\$101.76 per day x 365 days) if housed in a state facility and \$9,632.35 (\$26.39 per day x 365 days) if housed in a local facility.

**REVENUE EXPLANATION**

Proposed law may result in an indeterminable increase in local revenues as a result of potential fines for knowingly creating, distributing, possessing, promoting, advertising, or selling any sexually explicit material depicting a minor using deepfake technology. The exact fiscal impact of the passage of this legislation on local revenue is indeterminable because the fines that would be imposed on those convicted are optional, and the amount of the fines, if imposed, may vary.

Senate

Dual Referral Rules

House

13.5.1 >= \$100,000 Annual Fiscal Cost {S & H}

6.8(F)(1) >= \$100,000 SGF Fiscal Cost {H & S}

13.5.2 >= \$500,000 Annual Tax or Fee Change {S & H}

6.8(G) >= \$500,000 Tax or Fee Increase or a Net Fee Decrease {S}

*Evan Brasseaux*

**Evan Brasseaux**  
**Interim Deputy Fiscal Officer**