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

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DIGEST

SB 175 Engrossed

2023 Regular Session

Stine

Proposed law creates the crime of "unlawful deepfakes involving minors", which is the creation or possession of any material that depicts a minor engaging in sexual conduct using deepfake technology, and will be penalized by imprisonment at hard labor for not 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 advertisement, distribution, exhibit, exchange, promotion, 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 defines "deepfake", "distribute", "minor", and "sexual conduct".

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

Effective August 1, 2023.

(Adds R.S. 14:91.5.1)

Summary of Amendments Adopted by Senate

Committee Amendments Proposed by Senate Committee on Judiciary C to the original bill

1. Delete proposed law relative to the crime of unlawful use of a digital image and likeness
2. Redefine conduct criminalized in "unlawful deepfakes involving minors"
3. Add definitions for "distribute" and "sexual conduct"