
DIGEST

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HB 119 Reengrossed

2026 Regular Session

Fontenot

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

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 than \$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 under the age of 14 years, the disposition shall be governed exclusively by the provisions of present law (Title VIII of the La. Children's Code).

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 for a penalty of 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.

Proposed law provides that if the offender is under the age of 14 years, the disposition shall be governed exclusively by the provisions of present law (Title VIII of the La. Children's Code).

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. 14:73.14(D) and 81.1.1(D)(1); Adds R.S. 14:73.14.1 and 81.1.1(A)(3) and R.S. 17:416.20.1 and 3996(B)(92))

Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on Administration of Criminal Justice to the original bill:

1. Make technical changes.
2. Remove possession as unlawful conduct relative to the dissemination or sale of AI images as provided in present law (R.S. 14:73.14).
3. Change the term "victim" to "depicted person" within the penalty provision for a violation of present law (R.S. 14:73.14) that involves a person under the age of 17.
4. Create the new crime of unlawful possession of images of another created by AI and provide for elements, definitions, exceptions, and penalties.
5. Designate proposed law as "The Ivy Daniels Act".

The House Floor Amendments to the engrossed bill:

1. Make technical changes.

2. Provide that the disposition of an offender who is under the age of 14 who disseminates, sells, or possesses images of another created by artificial intelligence is governed exclusively by the delinquency provisions of present law (Title VIII of the La. Children's Code).
3. Add an exception to the proposed law crime of unlawful possession of images of another created by artificial intelligence.
4. Require the La. Dept. of Education and charter schools to inform students and parents of the consequences for dissemination, sale, or possession of images of another created by artificial intelligence.