

2026 Regular Session

SENATE BILL NO. 134

BY SENATOR KLEINPETER

CRIME/PUNISHMENT. Provides that certain crimes relative to child sexual abuse materials do not apply to persons under 17 under certain circumstances. (8/1/26)

1 AN ACT

2 To enact R.S. 14:81.1(A)(3), relative to offenses affecting the public morals; to provide  
3 relative to child sexual abuse materials; to provide that the crime of child sexual  
4 abuse materials does not apply to persons under the age of seventeen under certain  
5 circumstances; to provide relative to the crime of "sexting"; to provide relative to  
6 definitions; and to provide for related matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. R.S. 14:81.1(A)(3) is hereby enacted to read as follows:

9 §81.1. Child sexual abuse materials

10 A.(1) \* \* \*

11 **(3)(a) When a person who is under the age of seventeen years violates**  
12 **Paragraph (A)(1) of this Section by either of the following acts, the provisions**  
13 **of R.S. 14:81.1.1 relative to the crime of "sexting" shall govern the offense,**  
14 **unless the person committed the offense with the intent to obtain anything of**  
15 **value, secure a privilege or advantage, or harass or cause emotional distress to**  
16 **any person:**

17 **(i) Using a computer or telecommunication device to knowingly and**

1 voluntarily transmit an indecent visual depiction of himself.

2 (ii) Receiving or possessing an indecent visual depiction of a person that  
 3 was transmitted by the person depicted in the image.

4 (b) For purposes of this Paragraph, "indecent visual depiction" shall  
 5 have the same meaning as provided in R.S. 14:81.1.1.

6 \* \* \*

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The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Senate Legislative Services. The keyword, summary, 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)]

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#### DIGEST

SB 134 Reengrossed

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Kleinpeter

Present law relative to the crime of "sexting" prohibits a person under the age of 17 years from knowingly and voluntarily using a computer or telecommunication device to transmit an indecent visual depiction of himself to another person. Present law also prohibits a person under the age of 17 from knowingly possessing or transmitting an indecent visual depiction that was transmitted by another person under the age of 17 in violation of present law.

Proposed law retains present law.

Present law makes it unlawful for a person to produce, promote, advertise, distribute, possess, or possess with the intent to distribute child sexual abuse materials.

Proposed law retains present law but provides that, when a person who is otherwise in violation of present law relative to child sexual abuse materials is under the age of 17 years, the provisions of present law relative to "sexting" will apply to the offense if he does any of the following unless he committed the offense with the intent to obtain any thing of value or secure a privilege or advantage or cause emotional distress to the person in the image:

- (1) Knowingly and voluntarily transmits an indecent visual depiction of himself using a computer or telecommunication device.
- (2) Receives or possesses an indecent visual depiction of a person that was transmitted by the person depicted in the image.

Effective August 1, 2026.

(Adds R.S. 14:81.1(A)(3))

#### Summary of Amendments Adopted by Senate

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

1. Apply proposed law to third parties providing indecent images.

##### Senate Floor Amendments to engrossed bill

1. Provide an exception to the present law relative to child sexual abuse

materials.

2. Define "indecent visual depiction".
3. Remove application of proposed law to third parties.