

SB198 • West Virginia

Prohibiting creation, production, distribution, or possession of artificially generated child pornography

Passed Both Chambers

Risk: High

Comprehensive

Effective: Jul 09, 2025 | Last Action (Apr 12, 2025): Approved by Governor 4/24/2025 - House Journal

Summary

SB198 criminalizes AI-generated child pornography and addresses nonconsensual disclosure of fabricated images, with mandatory reporting and exemptions for certain groups.

Business Impact

If you use AI to create visual content, you must ensure compliance with child pornography laws by July 9, 2025, or face severe penalties.

Key Provisions

- Criminalizes the creation and distribution of AI-generated child pornography.
- Defines 'computer-generated child pornography' and related terms.
- Establishes penalties including fines and imprisonment for violations.
- Clarifies that the depiction of a minor need not be of an actual person.
- Sets an effective date of July 9, 2025.
- Includes provisions for confidentiality in prosecutions.
- Addresses nonconsensual disclosure of fabricated intimate images.
- Mandates reporting with an affirmative defense for compliance.

Compliance Checklist

- Ensure all AI-generated visual content complies with child pornography laws. | Who: Content creators and distributors using AI. | Penalty: Severe fines and imprisonment for violations.
- Implement training on compliance with new definitions and penalties. | Who: Organizations involved in visual content creation. | Penalty: Potential legal repercussions for non-compliance.

Industries Affected

Entertainment

Technology

Law Enforcement

Media

Topics

AI CSAM

AI Transparency

Bill Sponsors

Name	Party	Role
Amy Nichole Grady	R	Sponsor
Vince Deeds	R	Sponsor

Roll Call Votes

Date	Description	Yea	Nay	Result
2025-04-10	Senate concurred in House amendments and passed bi	33	0	Passed
2025-04-08	Passed House (Roll No. 414)	99	0	Passed
2025-03-03	Passed Senate (Roll No. 51)	33	0	Passed

Amendments

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- sb198 h jud am _1 — 2025-04-02 (Not Adopted)
 - sb198 hfa akers 4-7 _1 — 2025-04-07 (Not Adopted)
 - sb198 hfa akers 4-7 _1 adopted — 2025-04-07 (Adopted)
 - sb198 h jud am _1 adopted — 2025-04-03 (Adopted)
 - sb198 hfat akers 4-7 — 2025-04-07 (Not Adopted)
 - sb198 hfat akers 4-7 adopted — 2025-04-07 (Adopted)

Related Bills

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- SB741 (WV)

Official Source

http://www.wvlegislature.gov/Bill_Status/Bills_history.cfm?input=198&year;=2025&sessiontype;=RS&btype;=bill

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