

SB741 • West Virginia

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

In Committee

Risk: High

Comprehensive

Last Action (Mar 08, 2024): On 3rd reading with right to amend, Special Calendar

Summary

This bill criminalizes the creation, distribution, or possession of AI-generated child pornography, even if no actual minors are depicted.

Business Impact

If you create or distribute AI-generated content, you must ensure it does not depict minors in sexually explicit conduct or face severe penalties.

Key Provisions

- Criminalizes the creation, production, distribution, or possession of AI-generated child pornography.
- Defines 'artificial intelligence-created visual depiction' and 'minor' for legal clarity.
- Establishes penalties including fines and imprisonment for violations.
- Clarifies that the depicted minor need not actually exist.
- Finds that AI-generated content poses a serious threat to children.
- Emphasizes the need for criminalization to protect minors.

Compliance Checklist

- Ensure no AI-generated content depicts minors in sexually explicit conduct. | Who: Content creators and distributors using AI technologies. | Penalty: Felony charges, fines up to \$20,000, and imprisonment.

Industries Affected

Digital Media

Content Creation

Law Enforcement

Topics

AI CSAM

Bill Sponsors

Name	Party	Role
Amy Nichole Grady	R	Sponsor
Ryan Weld	R	Sponsor
Charles Trump	R	Sponsor
Laura Wakim Chapman	R	Sponsor
Mike Woelfel	D	Sponsor
Vince Deeds	R	Sponsor
Randy Smith	R	Sponsor
Robert Plymale	D	Sponsor
Robert Karnes	R	Sponsor
Mike Stuart	R	Sponsor
Mark Hunt	D	Sponsor

Roll Call Votes

Date	Description	Yea	Nay	Result
2024-02-20	Passed Senate (Roll No. 186)	34	0	Passed

Amendments

- sb741 hjud am. _1 3-4 — 2024-03-04 (Not Adopted)
- sb741 h jud amt — 2024-03-08 (Not Adopted)

Related Bills

- SB198 (WV)

Official Source

http://www.wvlegislature.gov/Bill_Status/Bills_history.cfm?input=741&year;=2024&sessiontype;=RS&btype;=bill

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