

HOUSE SUMMARY OF SENATE AMENDMENTS

HB 119

2026 Regular Session

Fontenot

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

Synopsis of Senate Amendments

1. Within the present law (R.S. 14:73.13) crime of unlawful deepfakes and the proposed law (R.S. 14:73.14.1) crime of unlawful possession of images of another created by AI:
 - (a) Provides for varying penalties, including dispositions based on the crime of sexting, Families In Need of Services, and juvenile delinquency proceedings, based on the age and conduct of the offender.
 - (b) Provides for additional penalties if the offender is an educator and the victim is a student.
 - (c) Defines the terms "educator" and "student".
 - (d) Modifies proposed law to provide that the disposition under present law (Title VII of the La. Children's Code), relative to Families In Need of Services, applies to an offender who is 14 years of age or younger.
2. Within the present law crime of unlawful dissemination or sale of images of another created by AI (R.S. 14:73.14):
 - (a) Provides for additional penalties if the offender is an educator and the victim is a student.
 - (b) Defines the terms "educator" and "student".
3. Makes technical changes.

Digest of Bill as Finally Passed by Senate

Present law (R.S. 14:73.13) provides for the crime of unlawful deepfakes and provides for penalties.

Proposed law retains present law and provides that if the offender is an educator and the victim is a student, the offender may be imprisoned for an additional two years with or without hard labor, to be served consecutively to the sentence imposed under present law.

Proposed law provides that when a person who is under the age of 17 years violates present law by engaging in certain acts, the crime of "sexting" governs the offense, unless the person committed the offense with the intent to obtain anything of value, secure a privilege or advantage, or harass or cause emotional distress to any person.

Proposed law defines the terms "educator" and "student".

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 \$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 an educator and the victim is a student, imprisonment for an additional two years with or without hard labor at the discretion of the court, to be served consecutively to the sentence imposed under present law.
- (4) Requires disposition to be governed exclusively by the provisions of present law (Title VII of the La. Children's Code) if the offender is 14 years of age or younger.

Proposed law defines the terms "educator" and "student".

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 penalties as follows:

- (1) 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.
- (2) If the offender is an educator and the victim is a student, imprisonment for an additional two years with or without hard labor at the discretion of the court, to be served consecutively to the sentence imposed under present law.
- (3) If the offender is under the age of 17 years and engages in certain acts, the crime of "sexting" governs the offense, unless the offense was committed with the intent to obtain anything of value, secure a privilege or advantage, or harass or cause emotional distress to any person.
- (4) On a first offense, disposition exclusively pursuant to present law (Title VII of the La. Children's Code), relative to Families In Need of Services, if the offender is under the age of 17 years.
- (5) On a second or subsequent offense, disposition pursuant to present law (Title VII or VIII of the La. Children's Code), relative to Families In Need of Services or juvenile delinquency proceedings, if the offender is under the age of 17 years.
- (6) If the offender is 14 years of age or younger, disposition exclusively pursuant to present law (Title VII of the La. Children's Code), relative to Families in Need of Services.

Proposed law defines the terms "educator" and "student".

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) governs 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. 14:73.13(A) and (C)(intro. para.), (3), and (4), 73.14(C)(intro. para.), (3), and (4) and (D), and 81.1.1(D)(1); Adds R.S. 14:73.13(C)(5) and (6), 73.14(C)(5) and (6), 73.14.1, and 81.1.1(A)(3) and R.S. 17:416.20.1 and 3996(B)(92))