

LEGISLATIVE FISCAL OFFICE
Fiscal Note



Fiscal Note On: **HB 119** HLS 26RS 203
 Bill Text Version: **REENGROSSED**
 Opp. Chamb. Action:
 Proposed Amd.:
 Sub. Bill For.:

Date: April 7, 2026	1:19 PM	Author: FONTENOT
Dept./Agy.: Corrections, Sheriffs, and the Office of Juvenile Justice		Analyst: Daniel Druilhet
Subject: Unlawful Dissemination or Sale of Images Created by AI		

CRIME RE SEE FISC NOTE GF EX Page 1 of 2
 Provides relative to unlawful dissemination or sale of images of another created by artificial intelligence

Current law provides for the crimes of sexting and unlawful dissemination or sale of images of another created by artificial intelligence (AI); assesses a sentence of imprisonment of no more than 6 months, a fine of no more than \$750, or both, for those convicted; provides for dispositions in the Children’s Code for those in violation. Proposed law increases the sentence of imprisonment for unlawful dissemination or sale of images of another created by AI from no less than 6 months to no more than one year, with or without hard labor, or a fine of no more than \$1,000, or both; assesses a sentence of no more than 5 years with or without hard labor (with at least one year being without benefit of probation, parole, or suspension of sentence) for violations of current law when the depicted person is a minor (and if the offender is under age 14, the disposition shall be governed exclusively by provisions of Title 8 of the Children’s Code); prohibits possession of any video or still image created by AI that depicts another person under 17 and is totally nude or undressed so as to expose genitals, pubic areas, buttocks, or female breasts, when the person possessing the content knows or has reason to know that the person is not licensed or authorized to possess such video or still image; assesses a sentence of no more than 5 years imprisonment with or without hard labor (at least one year being without benefit of probation, parole, or suspension of sentence), and if the offender is under 14 years, the disposition shall be governed by Title 8 of the Children’s Code; prohibits a person under 17 from unlawfully disseminating, possessing, or selling images depicting another person created by AI and applicable dispositions; requires principals of each public school (grades 6-12) to disseminate information on the proposed law.

EXPENDITURES	2026-27	2027-28	2028-29	2029-30	2030-31	5 -YEAR TOTAL
State Gen. Fd.	SEE BELOW	SEE BELOW	SEE BELOW	SEE BELOW	SEE BELOW	
Agy. Self-Gen.	\$0	\$0	\$0	\$0	\$0	\$0
Ded./Other	\$0	\$0	\$0	\$0	\$0	\$0
Federal Funds	\$0	\$0	\$0	\$0	\$0	\$0
Local Funds	SEE BELOW	SEE BELOW	SEE BELOW	SEE BELOW	SEE BELOW	
Annual Total						
REVENUES	2026-27	2027-28	2028-29	2029-30	2030-31	5 -YEAR TOTAL
State Gen. Fd.	\$0	\$0	\$0	\$0	\$0	\$0
Agy. Self-Gen.	\$0	\$0	\$0	\$0	\$0	\$0
Ded./Other	\$0	\$0	\$0	\$0	\$0	\$0
Federal Funds	\$0	\$0	\$0	\$0	\$0	\$0
Local Funds	SEE BELOW	SEE BELOW	SEE BELOW	SEE BELOW	SEE BELOW	
Annual Total						

EXPENDITURE EXPLANATION

Proposed law may result in an indeterminable increase in SGF expenditures in the Department of Public Safety & Corrections-Corrections Services (DPS&C-CS), to the extent that a person is convicted of possessing images or videos of another created by artificial intelligence that depicts another person who is totally nude or in a state of undress so as to expose the genitals, pubic area, buttocks, or female breasts, when the person possessing the video or still image knows or has reason to know that the person is not licensed or authorized to possess such video or still image. Proposed law increases the minimum sentence for those convicted of current law from six months to one year, and it has the effect of adding circumstances under which an offender can be convicted of unlawful possession, dissemination, or sale of images of another created by artificial intelligence. Any impact on either state or local expenditures is contingent on whether offenders sustain either a misdemeanor or felony-grade convictions for their violation. The exact fiscal impact is indeterminable, as it is unknown how many people will be convicted or the length of the sentences assessed with those convictions as a result of its potential enactment. The maximum imprisonment term for possessing images or videos of another created by artificial intelligence that depicts another person who is totally nude or in a state of undress so as to expose the genitals, pubic area, buttocks, or female breasts, when the person possessing the video or still image either knows or has reason to know that he is not licensed or authorized to possess such video or still image, and the victim is a minor, is no more than five years.

To the extent that offenders sustain a felony-grade conviction for violation of the proposed law, DPS&C-CS will sustain an indeterminable increase in expenditures. For those convicted, sentenced, and then subsequently housed in a state facility, DPS&C-CS will sustain expenditures of \$107.60 per offender per day. For those housed in local facilities, DPS&C-CS will sustain expenditures of \$29.39 per offender per day. DPS&C-CS advises that impacts on offender populations are anticipated to impact the number of offenders held in local facilities, and that in managing its offender population, it seeks to fill all beds in state facilities first, then assigns overflow offenders to local facilities.

To the extent that offenders sustain a misdemeanor conviction for violation of the proposed law, local governing authorities will sustain Local Funds expenditures. The exact fiscal impact of the passage of this legislation to local governing authorities is indeterminable, since it is not known how many people will be convicted and incarcerated in local facilities, nor the length of the sentences assessed with those convictions as a result of its potential enactment.

[CONTINUED ON PAGE TWO]

REVENUE EXPLANATION

Proposed law may result in an indeterminable increase in Local Funds revenues as a result of convictions of possessing images or videos of another created by artificial intelligence that depicts another person who is totally nude or in a state of undress so as to expose the genitals, pubic area, buttocks, or female breasts, when the person possessing the video or still image knowing that he is not licensed or authorized to possess such video or still image. The exact fiscal impact of this legislation on local revenue is indeterminable, as fines imposed are optional, and the amount of fines, if imposed, may vary. The potential revenue will accrue to the local governing authority.

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|---|----------------------------|--|
| <u>Senate</u> | <u>Dual Referral Rules</u> | <u>House</u> |
| <input type="checkbox"/> 13.5.1 >= \$100,000 Annual Fiscal Cost {S & H} | | <input type="checkbox"/> 6.8(F)(1) >= \$100,000 SGF Fiscal Cost {H & S} |
| <input type="checkbox"/> 13.5.2 >= \$500,000 Annual Tax or Fee Change {S & H} | | <input type="checkbox"/> 6.8(G) >= \$500,000 Tax or Fee Increase or a Net Fee Decrease {S} |


Patrice Thomas
Deputy Fiscal Officer



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CONTINUED EXPLANATION from page one:

[CONTINUED FROM PAGE ONE]

Office of Juvenile Justice

Proposed law may result in an indeterminable increase in expenditures in the Department of Public Safety and Corrections - Youth Services (Office of Juvenile Justice), to the extent that persons under the age of 14 years are adjudicated of a felony-grade delinquent act of unlawful dissemination or sale of images of another created by artificial intelligence (AI) and possession of any video or still image created by AI (that depicts another person under 17 that is totally nude or undressed so as to expose genitals, pubic areas, buttocks, or female breasts, when the person possessing the content knows or has reason to know that the person is not licensed or authorized to possess such video or still image) pursuant to the Louisiana Children's Code. The exact fiscal impact to expenditures to the Office of Juvenile Justice is indeterminable, because it is unknown the number of juvenile referrals that will be made for felony adjudications of violations of the proposed law. For each adjudication that results in placement in secure placement, the Office of Juvenile Justice will sustain expenditures of \$151.81 per day.

Senate Dual Referral Rules
 13.5.1 >= \$100,000 Annual Fiscal Cost {S & H}
 13.5.2 >= \$500,000 Annual Tax or Fee Change {S & H}

House
 6.8(F)(1) >= \$100,000 SGF Fiscal Cost {H & S}
 6.8(G) >= \$500,000 Tax or Fee Increase or a Net Fee Decrease {S}


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