

## SENATE SUMMARY OF HOUSE AMENDMENTS

SB 42

2026 Regular Session

Edmonds

**KEYWORD AND SUMMARY AS RETURNED TO THE SENATE**

CRIME/PUNISHMENT. Prohibit using artificial intelligence to create child sexual abuse materials and provide a cause of action for damages to the child. (8/1/26)

**SUMMARY OF HOUSE AMENDMENTS TO THE SENATE BILL**

1. Citation error in title.
2. Adds provision for the attorney general to bring civil action to enforce compliance
3. Grants a cause of action to a minor harmed as a result of being depicted in child sexual abuse materials.

**DIGEST OF THE SENATE BILL AS RETURNED TO THE SENATE**

## DIGEST

SB 42 Reengrossed

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Present law defines "child sexual abuse materials" as any photograph, videotape, film, or other reproduction, whether electronic or otherwise, of any sexual performance involving a child under the age of seventeen.

Proposed law provides that "child sexual abuse materials" also includes undeveloped film or data stored on a computer disk or by electronic means that is capable of conversion into a visual image, video, picture, digital image or picture, computer image or picture, or computer-generated image or picture, whether made or produced by electronic, mechanical, or other means. Proposed law also provides that the definition of "child" for the purposes of "child sexual abuse materials" includes both a natural person under the age of 17 years and an image or other visual representation of a child under the age of 17 years that is created or generated by electronic or digital means, including artificial intelligence and that to a reasonable person are virtually indistinguishable depictions of a child under the age of 17 years.

Proposed law otherwise retains present law.

Present law defines "produce", in the context of child sexual abuse materials, as the photographing, videotaping, filming, or otherwise reproducing child sexual abuse materials, as well as soliciting, promoting, or coercing any child for the purpose of child sexual abuse materials.

Proposed law provides that "produce" also includes causing artificial intelligence to generate child sexual abuse materials.

Proposed law otherwise retains present law.

Proposed law authorizes the attorney general to bring a civil action to force compliance with proposed law.

Proposed law authorizes a minor who is harmed as a result of being depicted in child sexual abuse material to have a cause of action for damages against any person that produces, promotes, advertises, distributes, possesses, or possesses with the intent to distribute such visual reproduction, or who coerces, solicits, or uses the minor for the purpose of creating the visual reproduction.

Proposed law provides that this cause of action for damages commences before the later of either of the following:

(1) The lapse of a twelve-year liberative prescription once the minor reaches the age of majority.

(2) Within three years from the time the person discovered or reasonably should have discovered that the injury or damages were caused by the violation of this Section.

Effective August 1, 2026.

(Amends R.S. 14:81.1(B)(3) and (9); adds R.S. 9:1098.6 and 2800.78)

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Thomas L. Tyler  
Senate Counsel