

SUBJECT:	Clarifying conduct that constitutes certain offenses involving children
COMMITTEE:	Criminal Jurisprudence — favorable, without amendment
VOTE:	9 ayes — Moody, Cook, Bhojani, Bowers, Darby, Harrison, Leach, C. Morales, Schatzline 0 nays
WITNESSES:	For — (<i>Registered, but did not testify</i> : James Parnell, Dallas Police Association; Julio Gonzalez, Dallas Police Department; Lavinia Bertha Masters, Hope SAVES; Ray Hunt, Houston Police Officer's Union; Brian Hawthorne, Sheriffs Association of Texas; Matt Dowling, Texas Medical Association; John Wilkerson, Texas Municipal Police Association; AJ Louderback, Texas Sheriffs Regional Alliance; Jennifer Allmon, The Texas Catholic Conference of Bishops; and eight individuals) Against — None On — Deborah Simmons
BACKGROUND:	Concerns have been raised that current law may not address new crimes involving the use of artificial intelligence to create sexually explicit visual material of a minor.
DIGEST:	HB 2700 would specify that for conduct that constituted the possession or promotion of child pornography, electronic transmission of certain visual material depicting a minor, and possession or promotion of lewd visual material depicting a child, prohibited visual material would include a depiction of a child or minor: <ul style="list-style-type: none">• who was recognizable as an actual person by the person's face, likeness, or other distinguishing characteristic, such as a unique birthmark or other recognizable feature; and• whose image as a child younger than 18 years old was used in creating, adapting, or modifying the visual material, including

computer-generated visual material that was created, adapted, or modified using an artificial intelligence application or other computer software.

The bill would take effect on September 1, 2023, and would apply only to an offense committed on or after that date.