

HOUSE BILL NO. HB0102

Protecting kids from deepfakes and exploitative images.

Sponsored by: Representative(s) Lien, Allemand, Brady,
Brown, G, Campbell, K, Filer, Geringer,
Guggenmos, Heiner, Hoeft, Johnson,
Pendergraft, Posey, Rodriguez-Williams,
Schmid, Smith, Webb, Webber and Wharff and
Senator(s) Kolb, Nethercott, Olsen and
Pearson

A BILL

for

1 AN ACT relating to crimes and offenses; specifying that
2 using artificial intelligence to commit a criminal offense
3 shall not be a defense to the offense; establishing
4 criminal offenses concerning the use of synthetic sexual
5 material or artificial intelligence against children;
6 establishing criminal offenses concerning the use of
7 artificial intelligence to promote self-harm or to censor
8 political speech; providing immunity for developer of
9 artificial intelligence systems as specified; specifying
10 penalties; providing and amending definitions; providing
11 causes of action; and providing for an effective date.

12

13 *Be It Enacted by the Legislature of the State of Wyoming:*

1

2 **Section 1.** W.S. 1-1-143, 6-1-206, 6-4-307, 6-4-308,
3 6-4-701 and 40-12-801 are created to read:

4

5 **1-1-143. Developers of artificial intelligence**
6 **systems; liability; limitations.**

7

8 (a) As used in this section, "artificial intelligence
9 system" means as defined by W.S. 6-1-104(a)(xix).

10

11 (b) Except as provided in subsection (c) of this
12 section, the developer of an artificial intelligence system
13 shall not be liable for damages arising from the use of an
14 artificial intelligence system when another person used the
15 system with the intent to commit or engage in illegal or
16 illicit activities or to cause harm.

17

18 (c) The immunity provided in subsection (b) of this
19 section shall not apply if:

20

21 (i) The artificial intelligence system was
22 developed with the knowledge or intent that the primary

1 purpose of the system would be for illegal or illicit
2 activities; or

3

4 (ii) The developer of the artificial
5 intelligence system should have known that the primary use
6 of the system would be for illegal or illicit purposes.

7

8 **6-1-206. Artificial intelligence; liability and**
9 **defense.**

10

11 (a) Nothing in the Wyoming Criminal Code shall be
12 construed to prohibit the application of this code against
13 activity facilitated by an artificial intelligence system.

14

15 (b) The use of an artificial intelligence system by a
16 person to commit a criminal offense shall not be a defense
17 to a criminal charge.

18

19 **6-4-307. Unlawful distribution of nonconsensual**
20 **synthetic sexual material.**

21

22 (a) A person commits the offense of unlawful
23 distribution of nonconsensual synthetic sexual material if:

1

2 (i) The person:

3

4 (A) Distributes, transmits or otherwise
5 makes available synthetic sexual material that
6 realistically depicts another identifiable person without
7 that person's knowledge or consent;

8

9 (B) At the time of the distribution or
10 transmission, knows or should have known that the synthetic
11 sexual material was created or altered without the
12 knowledge or consent of the depicted person and under
13 circumstances in which the depicted person had a reasonable
14 expectation of privacy; and

15

16 (C) The distribution of the synthetic
17 sexual material causes harm to the depicted person or is
18 intended to cause harm to the depicted person.

19

20 (ii) The person promotes synthetic sexual
21 material on an internet website, social media website or
22 other digital platform knowing the character and content of
23 the synthetic sexual material; or

1

2 (iii) The person intentionally threatens to
3 distribute synthetic sexual material that depicts a
4 person's intimate parts exposed or engaged in sexual
5 conduct without that person's consent and makes the threat
6 to obtain a benefit in:

7

8 (A) Return for not making the disclosure;
9 or

10

11 (B) Connection with the threatened
12 disclosure.

13

14 (b) It shall not be a defense to prosecution under
15 this section that the person depicted in the synthetic
16 sexual material:

17

18 (i) Created or consented to the creation of the
19 synthetic sexual material, unless the depicted person is
20 the person who distributes, transmits or otherwise makes
21 the material available for lawful purposes; or

22

1 (ii) Voluntarily transmitted the synthetic
2 sexual material to the defendant.

3

4 (c) Unlawful distribution of synthetic sexual
5 material is:

6

7 (i) Except as provided in paragraph (ii) of this
8 subsection, a felony punishable by imprisonment for not
9 more than ten (10) years, a fine of not more than ten
10 thousand dollars (\$10,000.00), or both;

11

12 (ii) For a second or subsequent conviction under
13 this section or of a substantially similar law of any other
14 jurisdiction, a felony punishable by imprisonment for not
15 more than twelve (12) years, a fine of not more than ten
16 thousand dollars (\$10,000.00), or both.

17

18 (d) Nothing in this act shall be construed to impose
19 liability on interactive computer services as defined in 47
20 U.S.C. 230(f)(2) or on information services or
21 telecommunications services as defined in 47 U.S.C. 153 for
22 content provided by another person.

23

1 **6-4-308. Unlawful development or distribution of**
2 **artificial intelligence system for child pornography.**

3
4 (a) As used in this section, "child pornography"
5 means as defined by W.S. 6-4-303(a)(ii).

6
7 (b) A person commits the offense of unlawful
8 development or distribution of an artificial intelligence
9 system for child pornography if the person:

10
11 (i) Knowingly develops or distributes an
12 artificial intelligence system specifically designed to
13 create, distribute or promote child pornography or to
14 create, distribute or promote synthetic sexual material;
15 and

16
17 (ii) Develops or distributes the artificial
18 intelligence system with the intent that the system be used
19 by other persons to create, distribute or promote child
20 pornography or with knowledge that the system will be used
21 to create, distribute or promote child pornography.

22
23 (c) This section shall not apply:

1

2 (i) To any artificial intelligence system that
3 produces content that promotes child pornography solely as
4 a result of user prompts or inputs and without the
5 developer's intent to encourage or promote child
6 pornography;

7

8 (ii) To conduct taken in the course of bona fide
9 school, college, university, museum or public library
10 activities or in the course of employment of such an
11 organization;

12

13 (iii) To conduct taken in the course of law
14 enforcement and judicial activities;

15

16 (iv) To an interactive computer service as
17 defined in 47 U.S.C. 230(f)(2) or to an information service
18 or telecommunications service as defined in 47 U.S.C. 153
19 for content provided by another person.

20

21 (d) Unlawful development or distribution of an
22 artificial intelligence system for child pornography is a
23 felony punishable by imprisonment not to exceed ten (10)

1 years, a fine not to exceed ten thousand dollars
2 (\$10,000.00), or both.

3

4

ARTICLE 7

5

ARTIFICIAL INTELLIGENCE OFFENSES

6

7

**6-4-701. Unlawful development or distribution of
8 artificial intelligence systems intended to promote
9 self-harm.**

10

11 (a) As used in this section, "self-harm" means any
12 behavior or action that is self-directed and that
13 deliberately results in bodily injury, serious bodily
14 injury or death or the potential of bodily injury, serious
15 bodily injury or death to oneself.

16

17 (b) A person commits the offense of unlawful
18 development or distribution of an artificial intelligence
19 system intended to promote self-harm if the person:

20

21 (i) Knowingly develops or distributes an
22 artificial intelligence system specifically designed to
23 promote self-harm; and

1

2 (ii) Develops or distributes the system with the
3 intent that the system will be used by others to promote
4 self-harm or with knowledge that the system will be used to
5 promote self-harm.

6

7 (c) This section shall not apply:

8

9 (i) To any artificial intelligence system that
10 produces content that promotes self-harm solely as a result
11 of user prompts or inputs and without the developer's
12 intent to encourage or promote self-harm;

13

14 (ii) To conduct taken in the course of bona fide
15 school, college, university, museum or public library
16 activities or in the course of employment of such an
17 organization;

18

19 (iii) To conduct taken in the course of law
20 enforcement and judicial activities;

21

22 (iv) To licensed health care providers providing
23 legitimate medical or therapeutic services;

1

2 (v) To an interactive computer service as
3 defined in 47 U.S.C. 230(f)(2) or to an information service
4 or telecommunications service as defined in 47 U.S.C. 153
5 for content provided by another person.

6

7 (d) Unlawful development or distribution of an
8 artificial intelligence system to promote self-harm is a
9 felony punishable by imprisonment for not more than ten
10 (10) years, a fine not to exceed ten thousand dollars
11 (\$10,000.00), or both.

12

13

ARTICLE 8

14

ARTIFICIAL INTELLIGENCE SYSTEMS

15

16 **40-12-801. Prohibition of censorship of political**
17 **speech by interactive computer services using artificial**
18 **intelligence.**

19

20 (a) As used in this section:

21

22 (i) "Artificial intelligence system" means as
23 defined by W.S. 6-1-104(a)(xix);

1

2 (ii) "Interactive computer service" means as
3 defined by 47 U.S.C. § 230(f)(2), as that term was defined
4 on July 1, 2025.

5

6 (b) No interactive computer service, through the use
7 of an artificial intelligence system, shall intentionally:

8

9 (i) Block, ban, remove, de-platform, demonetize,
10 de-boost, restrict or otherwise discriminate against a user
11 of the interactive computer service based on the user's
12 political speech;

13

14 (ii) Modify or manipulate a user's content or
15 posts for the purpose of censoring political speech.

16

17 (c) The prohibition in subsection (b) of this section
18 shall apply regardless of whether the interactive computer
19 service's actions are automated or manually conducted by
20 persons for the interactive computer service.

21

22 (d) This section shall not apply to speech that would
23 otherwise be political speech that:

1

2 (i) Violates federal or state law;

3

4 (ii) Constitutes a true and credible threat of
5 violence or incitement of violence;

6

7 (iii) Contains material that is obscene as
8 defined by W.S. 6-4-301(a)(iii); or

9

10 (iv) Violates intellectual property rights under
11 federal or state law.

12

13 (e) The attorney general may:

14

15 (i) Bring an action against any person who
16 violates this section in order to enforce this section;

17

18 (ii) Take any other action authorized under W.S.
19 40-12-112 to enforce this section;

20

21 (iii) Seek and recover a civil penalty of not
22 more than ten thousand dollars (\$10,000.00) for each
23 violation of this section.

1

2 **Section 2.** W.S. 6-1-104(a) by creating a new
3 paragraph (xix) and by renumbering (xix) as (xx),
4 6-4-301(a) by creating new paragraphs (vi) and (vii) and
5 6-4-303(a)(ii)(intro), (b) by creating new paragraphs (v)
6 and (vi) and (c) through (e) are amended to read:

7

8 **6-1-104. Definitions.**

9

10 (a) As used in this act, unless otherwise defined:

11

12 (xix) "Artificial intelligence system" means any
13 machine learning-based system that can, for any given set
14 of objectives, generate outputs that include images, audio
15 content, video content, digitally generated text,
16 three-dimensional models, predictions, recommendations or
17 decisions influencing physical or virtual environments;

18

19 ~~(xix)~~ (xx) "This act" means title 6 of the
20 Wyoming statutes.

21

22 **6-4-301. Definitions.**

23

1 (a) As used in this article:

2

3 (vi) "Intimate parts" means as defined by W.S.
4 6-2-301(a)(ii);

5

6 (vii) "Synthetic sexual material" means material
7 that has been created, altered or manipulated through the
8 use of an artificial intelligence system or another digital
9 method to realistically depict the intimate parts of a
10 specific person.

11

12 **6-4-303. Sexual exploitation of children; penalties;**
13 **definitions.**

14

15 (a) As used in this section:

16

17 (ii) "Child pornography" means any visual
18 depiction, including any photograph, film, video, picture,
19 computer or computer-generated image, film, video or
20 picture, whether or not made or produced by electronic,
21 mechanical or other means, of explicit sexual conduct,
22 where:

23

1 (b) A person is guilty of sexual exploitation of a
2 child if, for any purpose, he knowingly:

3
4 (v) Uses an artificial intelligence system to
5 generate or create child pornography;

6
7 (vi) Possesses child pornography that the person
8 knows was generated by an artificial intelligence system.

9
10 (c) The sexual exploitation of a child pursuant to
11 paragraphs (b) (i) through (iii) and (v) of this section is
12 a felony punishable by imprisonment for not less than five
13 (5) years nor more than twelve (12) years, a fine of not
14 more than ten thousand dollars (\$10,000.00), or both.

15
16 (d) The sexual exploitation of a child by possession
17 of sexually exploitive material pursuant to paragraph
18 (b) (iv) of this section or by possession of child
19 pornography generated by an artificial intelligence system
20 under paragraph (b) (vi) of this section is a felony
21 punishable by imprisonment for not more than ten (10)
22 years, a fine of not more than ten thousand dollars
23 (\$10,000.00), or both.

1

2 (e) A second or subsequent conviction pursuant to
3 paragraphs (b) (i) through ~~(iv)~~ (vi) of this section, or of
4 a substantially similar law of any other jurisdiction, is a
5 felony punishable by imprisonment for not less than seven
6 (7) years nor more than twelve (12) years, a fine of not
7 more than ten thousand dollars (\$10,000.00), or both.

8

9 **Section 3.** This act is effective July 1, 2026.

10

11

(END)