

1 State of Arkansas
2 95th General Assembly
3 Regular Session, 2025
4

A Bill

HOUSE BILL 1877

5 By: Representative S. Meeks
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For An Act To Be Entitled

9 AN ACT TO AMEND THE LAW CONCERNING CRIMINAL OFFENSES
10 RELATED TO POSSESSION OF SEXUALLY EXPLICIT MATERIAL
11 THAT DEPICTS A CHILD; TO INCLUDE A COMPUTER GENERATED
12 IMAGE THAT IS INDISTINGUISHABLE FROM THE IMAGE OF A
13 CHILD; AND FOR OTHER PURPOSES.
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Subtitle

17 CONCERNING CRIMINAL OFFENSES RELATED TO
18 POSSESSION OF SEXUALLY EXPLICIT MATERIAL
19 THAT DEPICTS A CHILD; AND TO INCLUDE A
20 COMPUTER GENERATED IMAGE THAT IS
21 INDISTINGUISHABLE FROM THE IMAGE OF A
22 CHILD.
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24 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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26 SECTION 1. Arkansas Code § 5-27-302, concerning definitions with
27 respect to the Arkansas Protection of Children Against Exploitation Act of
28 1979, is amended to add additional subdivisions to read as follows:

29 (6) "Computer generated" means produced, adapted, or modified,
30 in whole or in part, through the use of artificial intelligence; and

31 (7)(A) "Indistinguishable" means a visual or print medium that
32 is such that an ordinary person viewing the visual or print medium would
33 conclude that the visual or print medium depicts an actual child engaged in
34 the conduct depicted.

35 (B) "Indistinguishable" does not include a visual or print
36 medium that depicts a child that is a drawing, cartoon, sculpture, or



1 painting.

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3 SECTION 2. Arkansas Code § 5-27-304(a), concerning the offense of
4 pandering or possessing visual or print medium depicting sexually explicit
5 conduct involving a child, is amended to read as follows:

6 (a) With knowledge of the character of the visual or print medium
7 involved, no person shall do any of the following:

8 (1) Knowingly advertise for sale or distribution, sell,
9 distribute, transport, ship, exhibit, display, or receive for the purpose of
10 sale or distribution any visual or print medium depicting a child
11 participating or engaging in sexually explicit conduct or that is
12 indistinguishable from the image of a child participating or engaging in
13 sexually explicit conduct, including without limitation a visual or print
14 medium that is computer generated; or

15 (2) Knowingly solicit, receive, purchase, exchange, possess,
16 view, distribute, or control any visual or print medium depicting a child
17 participating or engaging in sexually explicit conduct or that is
18 indistinguishable from the image of a child participating or engaging in
19 sexually explicit conduct, including without limitation a visual or print
20 medium that is computer generated.

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22 SECTION 3. Arkansas Code § 5-27-601(13) is repealed.

23 ~~(13) "Reproduction" includes, but is not limited to, a computer-~~
24 ~~generated image;~~

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26 SECTION 4. Arkansas Code § 5-27-601, concerning definitions with
27 respect to computer crimes against minors, is amended to add additional
28 subdivisions to read as follows:

29 (16) "Computer generated image" means a picture or video
30 produced, adapted, or modified, in part or in whole, through the use of
31 artificial intelligence; and

32 (17)(A) "Indistinguishable" means that a depiction is such that
33 an ordinary person viewing the depiction would conclude that it is a
34 depiction of an actual child engaged in the conduct depicted.

35 (B) "Indistinguishable" does not include a depiction of a
36 child that is a drawing, cartoon, sculpture, or painting.

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2 SECTION 5. Arkansas Code § 5-27-602(a), concerning the offense of
3 distributing, possessing, or viewing matter depicting sexually explicit
4 conduct involving a child, is amended to read as follows:

5 (a) A person commits distributing, possessing, or viewing of matter
6 depicting sexually explicit conduct involving a child if the person
7 knowingly:

8 (1) Receives for the purpose of selling or knowingly sells,
9 procures, manufactures, gives, provides, lends, trades, mails, delivers,
10 transfers, publishes, distributes, circulates, disseminates, presents,
11 exhibits, advertises, offers, or agrees to offer through any means, including
12 the internet, any photograph, film, videotape, computer program or file,
13 video game, computer generated image, or any other reproduction or
14 reconstruction that depicts a child or incorporates the image of a child
15 engaging in sexually explicit conduct or is indistinguishable from the image
16 of a child engaging in sexually explicit conduct, whether made or produced by
17 electronic, mechanical, or other means; or

18 (2) Possesses or views through any means, including on the
19 internet, any photograph, film, videotape, computer program or file,
20 ~~computer generated~~ computer generated image, video game, or any other
21 reproduction that depicts a child or incorporates the image of a child
22 engaging in sexually explicit conduct or is indistinguishable from the image
23 of a child engaging in sexually explicit conduct, including those made or
24 produced by electronic, mechanical, or other means.

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26 SECTION 6. Arkansas Code § 5-27-603 is amended to read as follows:

27 5-27-603. ~~Possession or use of child sexual abuse material~~ Electronic
28 facilitation of child sexual abuse.

29 (a) A person commits possession or use of child sexual abuse material
30 if the person knowingly:

31 (1) Compiles, enters into, or transmits by means of computer,
32 makes, prints, publishes, or reproduces by other computerized means,
33 knowingly causes or allows to be entered into or transmitted by means of
34 computer or buys, sells, receives, exchanges, or disseminates any notice,
35 statement, or advertisement or any child's name, telephone number, place of
36 residence, physical characteristics, or other descriptive or identifying

1 information for purposes of facilitating, encouraging, offering, or
 2 soliciting sexually explicit conduct of or with any child or another
 3 individual believed by the person to be a child, or the visual depiction of
 4 the conduct including a visual depiction that is a computer generated image
 5 of sexually explicit conduct with any child or another individual believed by
 6 the person to be a child or that is indistinguishable from the image of a
 7 child; or

8 (2) Utilizes an online computer service, internet service, or
 9 local bulletin board service to seduce, solicit, lure, or entice or attempt
 10 to seduce, solicit, lure, or entice a child or another individual believed by
 11 the person to be a child, to engage in sexually explicit conduct.

12 (b) Possession or use of child sexual abuse material is a Class B
 13 felony.

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 15 SECTION 7. Arkansas Code § 5-27-609(a)(2)(A), concerning the
 16 definition of sexually explicit digital material with respect to the offense
 17 of possession of sexually explicit digital material, is amended to read as
 18 follows:

19 (2)(A) “Sexually explicit digital material” means any
 20 photograph, digitized impact, or visual depiction of a minor or a computer
 21 generated image that is that is indistinguishable from a depiction of a
 22 minor:

- 23 (i) In any condition of nudity; or
- 24 (ii) Involved in any prohibited sexual act.

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