

ARKANSAS SENATE
95th General Assembly - Regular Session, 2025
Amendment Form

Subtitle of House Bill 1877

CONCERNING CRIMINAL OFFENSES RELATED TO POSSESSION OF SEXUALLY
EXPLICIT MATERIAL THAT DEPICTS A CHILD; AND TO INCLUDE A COMPUTER
GENERATED IMAGE THAT IS INDISTINGUISHABLE FROM THE IMAGE OF A CHILD.

Amendment No. 1 to House Bill 1877

Amend House Bill 1877 as engrossed H4/7/25 (version: 4/7/25 10:44:55 AM):

Page 1, delete line 33, and substitute the following:

"in whole or in part, through the use of artificial intelligence;"

AND

Page 2, delete line 4, and substitute the following:

"painting; and

(8) "Adversarial testing" means red teaming or another activity or exercise conducted in a controlled environment and in collaboration with an artificial intelligence developer to identify a potential adverse behavior or outcome of a model or system, to determine how the potential adverse behavior or outcome of a model or system could occur, to stress test safeguards, and to conduct other structured evaluation methods as set forth by the National Institute of Standards and Technology."

AND

Page 2, delete line 25, and substitute the following:

"SECTION 3. Arkansas Code § 5-27-304, concerning the offense of pandering or possessing visual or print medium depicting sexually explicit conduct involving a child, is amended to add an additional subsection to read



as follows:

(c) This section does not apply to:

(1) A visual or print medium possessed, controlled, or intentionally viewed as part of a law enforcement investigation; or

(2)(A) An interactive computer service as defined in 47 U.S.C. § 230 for:

(i) Content provided by another party; and

(ii) Computer generated visual or print medium depicting sexually explicit conduct involving a child when the visual or print medium is generated as part of adversarial testing conducted in good faith to prevent, detect, or mitigate the risk of artificial intelligence systems generating visual or print medium depicting sexually explicit conduct involving a child.

(B) Subdivision (c)(2)(A) of this section does not include a person who engages in adversarial testing for personal or exploitative purposes or for purposes unrelated to legitimate artificial intelligence safety testing.

SECTION 4. Arkansas Code § 5-27-601(13) is repealed."

AND

Page 2, delete line 34, and substitute the following:

"artificial intelligence;"

AND

Page 3, delete line 3, and substitute the following:

"child that is a drawing, cartoon sculpture, or painting; and

(18) "Adversarial testing" means red teaming or another activity or exercise conducted in a controlled environment and in collaboration with an artificial intelligence developer to identify a potential adverse behavior or outcome of a model or system, to determine how the potential adverse behavior or outcome of a model or system could occur, to stress test safeguards, and to conduct other structured evaluation methods as set forth by the National Institute of Standards and Technology."

AND

Page 3, delete lines 29 through 32, and substitute the following:

"SECTION 7. Arkansas Code § 5-27-602, concerning distributing, possessing, or viewing of matter depicting sexually explicit conduct involving a child, is amended to add an additional subsection to read as follows:

(d) This section does not apply to:

(1) Matter depicting sexually explicit conduct involving a child possessed, controlled, or intentionally viewed as part of a law enforcement investigation; or

(2)(A) An interactive computer service as defined in 47 U.S.C. § 230 for:

(i) Content provided by another party; or

(ii) Computer generated matter depicting sexually explicit conduct involving a child when the matter is generated as part of adversarial testing conducted in good faith to prevent, detect, or mitigate the risk of artificial intelligence systems generating matter depicting sexually explicit conduct involving a child.

(B) Subdivision (d)(2)(A) of this section does not include a person who engages in adversarial testing for personal or exploitative purposes or for purposes unrelated to legitimate artificial intelligence safety testing.

SECTION 8. Arkansas Code § 5-27-603 is amended to read as follows:

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

(a) A person commits ~~possession or use of child sexual abuse material~~ electronic facilitation of child sexual abuse"

AND

Page 4, delete line 15, and substitute the following:

"(b) ~~Possession or use of child sexual abuse material~~ Electronic facilitation of child sexual abuse is a Class B"

AND

Appropriately renumber the sections of the bill

The Amendment was read the first time, rules suspended and read the second time and _____

By: Senator J. Bryant

CEB/CEB - 04-08-2025 07:43:27

CEB328

Secretary