

State of Arkansas

As Engrossed: H4/7/25

95th General Assembly

## A Bill

Regular Session, 2025

HOUSE BILL 1877

By: Representatives S. Meeks, Achor, Barnes, Barnett, Beaty Jr., Beck, Bentley, Breaux, Brooks, K. Brown, M. Brown, R. Burkes, Crawford, Eubanks, Furman, Gramlich, Hollowell, Ladyman, Lundstrum, Lynch, Maddox, J. Mayberry, McAlindon, McGrew, McGruder, B. McKenzie, Milligan, J. Moore, Nazarenko, Painter, Pearce, Richmond, Rose, Rye, M. Shepherd, Underwood, Vaught  
By: Senator J. Bryant

### For An Act To Be Entitled

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

### Subtitle

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.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

SECTION 1. Arkansas Code § 5-27-302, concerning definitions with respect to the Arkansas Protection of Children Against Exploitation Act of 1979, is amended to add additional subdivisions to read as follows:

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

(7)(A) "Indistinguishable" means a visual or print medium that is such that an ordinary person viewing the visual or print medium would conclude that the visual or print medium depicts an actual child engaged in



1 the conduct depicted.

2 (B) "Indistinguishable" does not include a visual or print  
3 medium that depicts a child that is a drawing, cartoon, sculpture, or  
4 painting.

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

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

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

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

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

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

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

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

35 (17)(A) "Indistinguishable" means that a depiction is such that  
36 an ordinary person viewing the depiction would conclude that it is a

1 depiction of an actual child engaged in the conduct depicted.

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

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

8 (a) A person commits distributing, possessing, or viewing of matter  
9 depicting sexually explicit conduct involving a child if the person  
10 knowingly:

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

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

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

30 5-27-603. ~~Possession or use of child sexual abuse material~~ Electronic  
31 facilitation of child sexual abuse.

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

34 (1) Compiles, enters into, or transmits by means of computer,  
35 makes, prints, publishes, or reproduces by other computerized means,  
36 knowingly causes or allows to be entered into or transmitted by means of

1 computer or buys, sells, receives, exchanges, or disseminates any notice,  
2 statement, or advertisement or any child's name, telephone number, place of  
3 residence, physical characteristics, or other descriptive or identifying  
4 information for purposes of facilitating, encouraging, offering, or  
5 soliciting sexually explicit conduct of or with any child or another  
6 individual believed by the person to be a child, or the visual depiction of  
7 the conduct including a visual depiction that is a computer generated image  
8 of sexually explicit conduct with any child or another individual believed by  
9 the person to be a child or that is indistinguishable from the image of a  
10 child; or

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

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

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

22 (2)(A) "Sexually explicit digital material" means any  
23 photograph, digitized impact, or visual depiction of a minor or a computer  
24 generated image that is that is indistinguishable from a depiction of a  
25 minor:

26 (i) In any condition of nudity; or

27 (ii) Involved in any prohibited sexual act.

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29 /s/S. Meeks  
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