

HOUSE BILL NO. HB0102

Protecting kids from deepfakes and exploitative images.

Sponsored by: Representative(s) Lien, Brady, Guggenmos,
Heiner, Posey, Rodriguez-Williams and Webb
and Senator(s) Kolb and Nethercott

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:*

14

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

3

4 **1-1-143. Developers of artificial intelligence**
5 **systems; liability; limitations.**

6

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

9

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

16

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

19

20 (i) The artificial intelligence system was
21 developed with the knowledge or intent that the primary
22 purpose of the system would be for illegal or illicit
23 activities; or

1

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

5

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

8

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

12

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

16

17 **6-4-307. Unlawful distribution of nonconsensual**
18 **synthetic sexual material.**

19

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

22

23 (i) The person:

1

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

6

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

13

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

17

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

22

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

6
7 (A) Return for not making the disclosure;
8 or

9
10 (B) Connection with the threatened
11 disclosure.

12
13 (b) It shall not be a defense to prosecution under
14 this section that the person depicted in the synthetic
15 sexual material:

16
17 (i) Created or consented to the creation of the
18 synthetic sexual material, unless the depicted person is
19 the person who distributes, transmits or otherwise makes
20 the material available for lawful purposes; or

21
22 (ii) Voluntarily transmitted the synthetic
23 sexual material to the defendant.

1

2 (c) Unlawful distribution of synthetic sexual
3 material is:

4

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

9

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

15

16 **6-4-308. Unlawful development or distribution of**
17 **artificial intelligence system for child pornography.**

18

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

21

1 (b) A person commits the offense of unlawful
2 development or distribution of an artificial intelligence
3 system for child pornography if the person:

4
5 (i) Knowingly develops or distributes an
6 artificial intelligence system specifically designed to
7 create, distribute or promote child pornography or to
8 create, distribute or promote synthetic sexual material;
9 and

10
11 (ii) Develops or distributes the artificial
12 intelligence system with the intent that the system be used
13 by other persons to create, distribute or promote child
14 pornography or with knowledge that the system will be used
15 to create, distribute or promote child pornography.

16
17 (c) This section shall not apply:

18
19 (i) To any artificial intelligence system that
20 produces content that promotes child pornography solely as
21 a result of user prompts or inputs and without the
22 developer's intent to encourage or promote child
23 pornography;

1

2 (ii) To conduct taken in the course of bona fide
3 school, college, university, museum or public library
4 activities or in the course of employment of such an
5 organization;

6

7 (iii) To conduct taken in the course of law
8 enforcement and judicial activities.

9

10 (d) Unlawful development or distribution of an
11 artificial intelligence system for child pornography is a
12 felony punishable by imprisonment not to exceed ten (10)
13 years, a fine not to exceed ten thousand dollars
14 (\$10,000.00), or both.

15

16 ARTICLE 7

17 ARTIFICIAL INTELLIGENCE OFFENSES

18

19 **6-4-701. Unlawful development or distribution of**
20 **artificial intelligence systems intended to promote**
21 **self-harm.**

22

1 (a) As used in this section, "self-harm" means any
2 behavior or action that is self-directed and that
3 deliberately results in bodily injury, serious bodily
4 injury or death or the potential of bodily injury, serious
5 bodily injury or death to oneself.

6

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

10

11 (i) Knowingly develops or distributes an
12 artificial intelligence system specifically designed to
13 promote self-harm; and

14

15 (ii) Develops or distributes the system with the
16 intent that the system will be used by others to promote
17 self-harm or with knowledge that the system will be used to
18 promote self-harm.

19

20 (c) This section shall not apply:

21

22 (i) To any artificial intelligence system that
23 produces content that promotes self-harm solely as a result

1 of user prompts or inputs and without the developer's
2 intent to encourage or promote self-harm;

3
4 (ii) To conduct taken in the course of bona fide
5 school, college, university, museum or public library
6 activities or in the course of employment of such an
7 organization;

8
9 (iii) To conduct taken in the course of law
10 enforcement and judicial activities;

11
12 (iv) To licensed health care providers providing
13 legitimate medical or therapeutic services.

14
15 (d) Unlawful development or distribution of an
16 artificial intelligence system to promote self-harm is a
17 felony punishable by imprisonment for not more than ten
18 (10) years, a fine not to exceed ten thousand dollars
19 (\$10,000.00), or both.

20
21 ARTICLE 8

22 ARTIFICIAL INTELLIGENCE SYSTEMS
23

1 **40-12-801. Prohibition of censorship of political**
2 **speech by interactive computer services using artificial**
3 **intelligence.**

4
5 (a) As used in this section:

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

9
10 (ii) "Interactive computer service" means as
11 defined by 47 U.S.C. § 230(f)(2), as that term was defined
12 on July 1, 2025.

13
14 (b) No interactive computer service, through the use
15 of an artificial intelligence system, shall:

16
17 (i) Block, ban, remove, de-platform, demonetize,
18 de-boost, restrict or otherwise discriminate against a user
19 of the interactive computer service based on the user's
20 political speech;

21
22 (ii) Modify or manipulate a user's content or
23 posts for the purpose of censoring political speech.

1

2 (c) The prohibition in subsection (b) of this section
3 shall apply regardless of whether the interactive computer
4 service's actions are automated or manually conducted by
5 persons for the interactive computer service.

6

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

9

10 (i) Violates federal or state law;

11

12 (ii) Constitutes a true and credible threat of
13 violence or incitement of violence;

14

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

17

18 (iv) Violates intellectual property rights under
19 federal or state law.

20

21 (e) The attorney general may:

22

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

3
4 (ii) Take any other action authorized under W.S.
5 40-12-112 to enforce this section;

6
7 (iii) Seek and recover a civil penalty of not
8 more than ten thousand dollars (\$10,000.00) for each
9 violation of this section.

10
11 **Section 2.** W.S. 6-1-104(a) by creating a new
12 paragraph (xix) and by renumbering (xix) as (xx),
13 6-4-301(a) by creating new paragraphs (vi) and (vii) and
14 6-4-303(a)(ii)(intro), (b) by creating new paragraphs (v)
15 and (vi) and (c) through (e) are amended to read:

16
17 **6-1-104. Definitions.**

18
19 (a) As used in this act, unless otherwise defined:

20
21 (xix) "Artificial intelligence system" means any
22 machine learning-based system that can, for any given set
23 of objectives, generate outputs that include images, audio

1 content, video content, digitally generated text,
2 three-dimensional models, predictions, recommendations or
3 decisions influencing physical or virtual environments;

4
5 ~~(ix)~~ (xx) "This act" means title 6 of the
6 Wyoming statutes.

7
8 **6-4-301. Definitions.**

9
10 (a) As used in this article:

11
12 (vi) "Intimate parts" means as defined by W.S.
13 6-2-301(a)(ii);

14
15 (vii) "Synthetic sexual material" means material
16 that has been created, altered or manipulated through the
17 use of an artificial intelligence system or another digital
18 method to realistically depict the intimate parts of a
19 specific person.

20
21 **6-4-303. Sexual exploitation of children; penalties;**
22 **definitions.**

1 (a) As used in this section:

2

3 (ii) "Child pornography" means any visual
4 depiction, including any photograph, film, video, picture,
5 computer or computer-generated image, film, video or
6 picture, whether or not made or produced by electronic,
7 mechanical or other means, of explicit sexual conduct,
8 where:

9

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

12

13 (v) Uses an artificial intelligence system to
14 generate or create child pornography;

15

16 (vi) Possesses child pornography that the person
17 knows was generated by an artificial intelligence system.

18

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

1

2 (d) The sexual exploitation of a child by possession
3 of sexually exploitive material pursuant to paragraph
4 (b)(iv) of this section or by possession of child
5 pornography generated by an artificial intelligence system
6 under paragraph (b)(vi) of this section is a felony
7 punishable by imprisonment for not more than ten (10)
8 years, a fine of not more than ten thousand dollars
9 (\$10,000.00), or both.

10

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

17

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

19

20

(END)