

1-1 By: González of El Paso, et al. H.B. No. 581  
 1-2 (Senate Sponsor - Hughes)  
 1-3 (In the Senate - Received from the House April 24, 2025;  
 1-4 April 28, 2025, read first time and referred to Committee on State  
 1-5 Affairs; May 15, 2025, reported favorably by the following vote:  
 1-6 Yeas 11, Nays 0; May 15, 2025, sent to printer.)

1-7 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-8				
1-9	X			
1-10	X			
1-11	X			
1-12	X			
1-13	X			
1-14	X			
1-15	X			
1-16	X			
1-17	X			
1-18	X			
1-19	X			

1-20 A BILL TO BE ENTITLED  
 1-21 AN ACT

1-22 relating to the creation of artificial sexual material harmful to  
 1-23 minors.

1-24 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-25 SECTION 1. The heading to Chapter 129B, Civil Practice and  
 1-26 Remedies Code, is amended to read as follows:

1-27 CHAPTER 129B. LIABILITY RELATED TO SEXUAL MATERIAL HARMFUL TO [FOR  
 1-28 ~~ALLOWING~~] MINORS [~~TO ACCESS PORNOGRAPHIC MATERIAL~~]

1-29 SECTION 2. Section 129B.001, Civil Practice and Remedies  
 1-30 Code, is amended by amending Subdivision (1) and adding Subdivision  
 1-31 (1-a) to read as follows:

1-32 (1) "Artificial sexual material harmful to minors"  
 1-33 means computer-generated sexual material harmful to minors that was  
 1-34 produced, adapted, or modified using an artificial intelligence  
 1-35 application or other computer software in which a person is  
 1-36 recognizable as an actual person by the person's face, likeness, or  
 1-37 other distinguishing characteristic, such as a unique birthmark or  
 1-38 other recognizable feature.

1-39 (1-a) "Commercial entity" includes a corporation,  
 1-40 limited liability company, partnership, limited partnership, sole  
 1-41 proprietorship, or other legally recognized business entity.

1-42 SECTION 3. The heading to Section 129B.002, Civil Practice  
 1-43 and Remedies Code, is amended to read as follows:

1-44 Sec. 129B.002. PUBLICATION AND CREATION OF MATERIAL HARMFUL  
 1-45 TO MINORS.

1-46 SECTION 4. Section 129B.002, Civil Practice and Remedies  
 1-47 Code, is amended by adding Subsection (a-1) and amending Subsection  
 1-48 (b) to read as follows:

1-49 (a-1) A commercial entity that operates an Internet website  
 1-50 with a publicly accessible tool for creating artificial sexual  
 1-51 material harmful to minors or otherwise makes publicly available an  
 1-52 application for creating sexual material harmful to minors shall  
 1-53 use reasonable age verification methods as described by Section  
 1-54 129B.003 to verify an individual attempting to access the tool is 18  
 1-55 years of age or older.

1-56 (b) A commercial entity that performs the age verification  
 1-57 required by Subsection (a) or (a-1) or a third party that performs  
 1-58 the age verification required by Subsection (a) or (a-1) may not  
 1-59 retain any identifying information of the individual.

1-60 SECTION 5. Section 129B.003(b), Civil Practice and Remedies  
 1-61 Code, is amended to read as follows:

2-1 (b) A commercial entity required to use reasonable age  
2-2 verification methods under Section 129B.002 [~~that knowingly and~~  
2-3 ~~intentionally publishes or distributes material on an Internet~~  
2-4 ~~website~~] or a third party that performs age verification under this  
2-5 chapter shall require an individual to:

- 2-6 (1) provide digital identification; or
- 2-7 (2) comply with a commercial age verification system  
2-8 that verifies age using:
  - 2-9 (A) government-issued identification; or
  - 2-10 (B) a commercially reasonable method that relies  
2-11 on public or private transactional data to verify the age of an  
2-12 individual.

2-13 SECTION 6. Chapter 129B, Civil Practice and Remedies Code,  
2-14 is amended by adding Section 129B.0045 to read as follows:

2-15 Sec. 129B.0045. REQUIREMENTS FOR SOURCES OF ARTIFICIAL  
2-16 SEXUAL MATERIAL HARMFUL TO MINORS. A commercial entity that  
2-17 operates an Internet website with a publicly accessible tool for  
2-18 creating artificial sexual material harmful to minors or otherwise  
2-19 makes publicly available an application for creating artificial  
2-20 sexual material harmful to minors shall ensure that an individual  
2-21 used as a source for the material:

- 2-22 (1) is 18 years of age or older; and
- 2-23 (2) has consented to the use of the individual's face  
2-24 and body as a source for the material.

2-25 SECTION 7. Section 129B.006(b), Civil Practice and Remedies  
2-26 Code, is amended to read as follows:

2-27 (b) A civil penalty imposed under this section for a  
2-28 violation of Section 129B.002, [~~or~~] 129B.003, or 129B.0045 may be  
2-29 in an amount equal to not more than the total, if applicable, of:

- 2-30 (1) \$10,000 per day that the entity operates an  
2-31 Internet website or makes available an application in violation of  
2-32 the age verification requirements of this chapter;
- 2-33 (2) \$10,000 per instance when the entity retains  
2-34 identifying information in violation of Section 129B.002(b); and
- 2-35 (3) if, because of the entity's violation of the age  
2-36 verification requirements of this chapter, one or more minors  
2-37 accesses sexual material harmful to minors, an additional amount of  
2-38 not more than \$250,000.

2-39 SECTION 8. This Act takes effect September 1, 2025.

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