

HOUSE No. 1931

The Commonwealth of Massachusetts

PRESENTED BY:

Francisco E. Paulino

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act to enhance protections against child exploitation and misuse of emerging technologies.

PETITION OF:

| NAME: | DISTRICT/ADDRESS: | DATE ADDED: |
|-----------------------------|-------------------|------------------|
| <i>Francisco E. Paulino</i> | <i>16th Essex</i> | <i>1/15/2025</i> |

HOUSE No. 1931

By Representative Paulino of Methuen, a petition (accompanied by bill, House, No. 1931) of Francisco E. Paulino for legislation to enhance protections against child exploitation and misuse of emerging technologies. The Judiciary.

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-Fourth General Court
(2025-2026)**

An Act to enhance protections against child exploitation and misuse of emerging technologies.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. Chapter 272 of the General Laws, as appearing in the 2024 Official Edition,
2 is hereby amended by striking out existing provisions addressing child exploitation and replacing
3 them with the following sections:

4 Section 29D. Definitions.

5 As used in sections 29E through 29I, the following terms shall have the following
6 meanings:

7 (a) "Child pornography," any visual depiction of a minor engaged in prohibited sexual
8 acts, including depictions created using artificial intelligence or computer-generated
9 technologies.

10 (b) "Non-consensual explicit material," any visual depiction, including deepfake content,
11 created or distributed without the consent of the depicted individual.

12 (c) "Computer-generated content," any visual depiction created, adapted, or modified
13 using artificial intelligence or similar technologies that is indistinguishable from an actual minor.

14 (d) "Child-like sex doll," any obscene anatomical doll, mannequin, or robot designed to
15 resemble a prepubescent child and intended for sexual purposes.

16 (e) "Prohibited sexual act," any act as defined in section 31 of this chapter.

17 Section 29E. Possession of Exploitative Material.

18 (a) Any person who knowingly possesses:

19 (i) any visual depiction of a minor engaging in a prohibited sexual act; or

20 (ii) any non-consensual explicit material, including computer-generated content,

21 shall be punished by imprisonment in the state prison for not less than 2 ½ years and not
22 more than 5 years, or by imprisonment in a jail or house of correction for not less than 1 year and
23 not more than 2 ½ years, and by a fine of not more than \$10,000.

24 (b) A second or subsequent offense, including convictions from other jurisdictions for
25 substantially similar offenses, shall be punished by imprisonment in the state prison for not less
26 than 5 years and not more than 10 years.

27 Section 29F. Distribution of Exploitative Material.

28 (a) Any person who knowingly sells, distributes, or disseminates:

29 (i) any visual depiction of a minor engaging in a prohibited sexual act; or

30 (ii) any non-consensual explicit material, including computer-generated content,

31 shall be punished by imprisonment in the state prison for not less than 5 years and not
32 more than 15 years, and by a fine of not more than \$25,000.

33 (b) A second or subsequent offense shall be punished by imprisonment in the state prison
34 for not less than 10 years and not more than 20 years.

35 Section 29G. Manufacture of Exploitative Material.

36 (a) Any person who creates, causes to be created, or knowingly permits the creation of:

37 (i) any visual depiction of a minor engaged in a prohibited sexual act; or

38 (ii) any non-consensual explicit material, including computer-generated content,

39 shall be punished by imprisonment in the state prison for not less than 10 years and not
40 more than 20 years, and by a fine of not more than \$50,000.

41 (b) A second or subsequent offense shall be punished by imprisonment in the state prison
42 for not less than 20 years and not more than 40 years.

43 (c) Manufacturing includes the use of artificial intelligence or digital tools to generate
44 such depictions, as determined through admissible forensic evidence.

45 Section 29H. Public Awareness and Victim Support.

46 (a) The Executive Office of Public Safety and Security shall oversee public awareness
47 campaigns addressing child exploitation and the risks of non-consensual explicit material,
48 including the misuse of artificial intelligence.

49 (b) The office shall administer funding for victim support programs, including
50 counseling, legal aid, and rehabilitation services for individuals impacted by such crimes.

51 Section 29I. Juvenile Sexting and Diversion.

52 (a) Minors involved in creating explicit material depicting themselves shall be referred to
53 juvenile diversion programs focused on education and rehabilitation.

54 (b) If coercion or exploitation is evident, penalties consistent with this chapter shall
55 apply.

56 SECTION 2. Task Force on Exploitative Technologies.

57 A task force on exploitative technologies shall be established to monitor advancements in
58 technologies used for exploitation, including artificial intelligence and digital tools. This task
59 force shall:

60 (a) Be chaired by the Attorney General or their designee.

61 (b) Include representatives from law enforcement, child protection agencies, forensic
62 analysts, and legal experts.

63 (c) Work in collaboration with the Massachusetts Artificial Intelligence Strategic Task
64 Force to ensure consistent and complementary recommendations.

65 (d) Provide annual recommendations to the General Court on legislative and enforcement
66 strategies.

67 SECTION 3. Fiscal Reporting and Implementation.

68 The Secretary of Administration and Finance shall prepare a report detailing the fiscal
69 impact of this Act, including costs for enforcement, victim support, and public education
70 initiatives, and submit it to the General Court within 12 months of enactment. This report shall
71 also include an assessment of coordination efforts between existing task forces and agencies.

72 SECTION 4. Victim Restitution.

73 Courts shall have the authority to order offenders convicted under this chapter to provide
74 financial restitution to victims for counseling, legal expenses, and other documented costs arising
75 from their exploitation.

76 SECTION 5. Enforcement Guidelines.

77 The Executive Office of Public Safety and Security shall develop and disseminate
78 enforcement guidelines for law enforcement agencies to ensure consistent application of this Act,
79 particularly in cases involving AI-generated content and non-consensual explicit materials.

80 SECTION 6. Severability.

81 If any provision of this Act is found to be invalid or unconstitutional, the remaining
82 provisions shall remain in full force and effect.