

# Alabama Child Protection Act of 2024

## Key Terms

- **Child Sexual Abuse Material (CSAM)**: This bill updates the language used to describe child pornography, now using the term CSAM.
- **Virtually Indistinguishable Depiction**: A visual depiction created, altered, or produced by digital, computer generated, or other means that a reasonable person would conclude is of an actual individual under 18 years of age engaged in sexually explicit conduct. This is a term used by the U.S. Supreme Court that would include AI-generated CSAM.

## Key Points

- The purpose of this bill is to amend our state laws to treat AI-generated child pornography, or CSAM, the same way that we treat actual child pornography. In other words, if you possess, produce, disseminate, or pander child pornography, the State will no longer need to establish whether actual children were involved.
- With the evolution of AI-generated child pornography, investigations, and prosecutions against those who produce ACTUAL child pornography are significantly impeded. Furthermore, AI-generated child pornography uses images of actual victims to create new images. In other words, AI-generated child porn is not a victimless crime.
- The bill keeps in place all of our current law provisions and penalties against child pornography—it merely adds AI-generated child porn to what is prohibited.
- With the widespread accessibility of artificial intelligence technology today, we must modernize our existing statute to deal with all instances of child sexual abuse material, including fully simulated materials, because CSAM only fuels pedophilia and child exploitation and should not be tolerated in any form in our state. Defendants should not be able to avoid prosecution simply because we cannot prove that the images involved are of actual children.
- This bill also enables injured parties who bring civil actions against violators to receive actual and punitive damages, courts, and attorney fees as well as directs the State Board of Education to require local school boards to develop policies relating to child sexual abuse materials.