



SENATOR JESSE KIEHL

SB 247

**Computer-Generated
Child Sexual Abuse Material**

Sectional Analysis

Sec. 1: Amends the crime of harassment in the second degree exclude the more serious crimes of possession and distribution of generated child sexual abuse material (CSAM).

Sec. 2: Creates two new crimes:

11.61.121 makes it a crime to distribute generated CSAM, including advertising, soliciting, or offering it. Possessing 100 or more generated CSAM items is distribution and proof of intent to distribute. This section matches the severity of the offense to the crime of distributing CSAM that is not computer-generated: a class B felony for a first offense and a class A felony if previously convicted.

11.61.122 makes it a crime to possess generated CSAM, defined as obscene material depicting a child under 18 years of age engaged in conduct that would constitute unlawful exploitation of a minor under AS 11.41.455. The section protects workers who detect, prevent, and report generated CSAM from prosecution when working to do so. It makes possession of generated CSAM a class C felony.

Sec. 3: Makes distribution of generated CSAM count as a prior conviction for purposes of raising distribution of CSAM that is not computer-generated to a class A felony.

Sec. 4: Clarifies a cross reference in the existing crime of possessing CSAM that is not computer-generated and better conforms a section to the drafting manual.

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Sec. 5: Protects workers who detect, prevent, and report CSAM that is not computer-generated from prosecution when working to do so.

Sec. 6: Includes property used in the pursuit of distributing or possessing generated CSAM in the list of property that may be forfeited to the state.

Sec. 7: Adds reporting possession or distribution of generated CSAM to law enforcement to the 'safe harbor' list under which a sex worker cannot be prosecuted for prostitution.

Sec. 8: Includes distribution of generated CSAM on the list of crimes with no statute of limitations.

Sec. 9: Adds possession and distribution of generated CSAM to the list of charges for which a court cannot defer prosecution or suspend judgement.

Sec. 10: Adds possession and distribution of generated CSAM to the list of charges for which a court cannot suspend imposition of sentence.

Sec. 11: Adds possession and distribution of generated CSAM to the list of offenses that can result in technological, social, and residence restrictions while on probation.

Sec. 12: Sets sentencing limits and presumptions for the new crimes of possession and distribution of generated CSAM on par with those for possession or distribution of CSAM that is not computer-generated.

Sec 13: Requires consecutive terms of imprisonment for multiple crimes of distribution or possession of generated CSAM, just as current law requires for distribution or possession of CSAM that is not computer-generated.



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Sec. 14: Includes distribution or possession of generated CSAM in the definition of “sexual felony.”

Sec. 15: Includes distribution of generated CSAM in the definition of “serious offense” alongside distribution of CSAM that is not computer-generated. The section also updates an unrelated spanning reference to conform to the drafting manual.

Sec. 16: Requires lifelong revocation of a teaching certificate for conviction of distribution or possession of generated CSAM, just as current law requires for distribution or possession of CSAM that is not computer-generated.

Sec. 17: Prohibits licensing a school bus driver who has been convicted of distributing or possessing generated CSAM, just as current law requires for distribution or possession of CSAM that is not computer-generated.

Sec. 18: Adds distribution or possession of generated CSAM to the list of investigations for which the attorney general may issue an administrative subpoena to an Internet service provider.

Sec. 19: Adds distribution of generated CSAM to the list of charges for which a delinquency proceeding may be made open to the public, just as current law allows for distribution of CSAM that is not computer-generated.

Sec. 20: Adds distribution of generated CSAM to the list of charges for which the Department of Family & Community Services may disclose information about certain minors found delinquent, just as current law allows for distribution of CSAM that is not computer-generated.

Sec. 21: Prevents any retroactive application of the changes made by the bill.