

CS FOR HOUSE BILL NO. 47(JUD) am

IN THE LEGISLATURE OF THE STATE OF ALASKA

THIRTY-FOURTH LEGISLATURE - SECOND SESSION

BY THE HOUSE JUDICIARY COMMITTEE

Amended: 2/25/26

Introduced: 2/2/26

Sponsor(s): REPRESENTATIVES VANCE, Underwood, Allard, McCabe, Costello, St. Clair, Prax, Johnson, Coulombe, Tomaszewski, Carrick, Galvin, Josephson

SENATORS Bjorkman, Tilton

A BILL

FOR AN ACT ENTITLED

1 "An Act relating to distribution of a forged digital likeness; relating to crime and
2 criminal procedure; relating to distribution of a generated sexual depiction; relating to
3 generated obscene child sexual abuse material; relating to teaching certificates; relating
4 to licensing of school bus drivers; relating to civil penalties for an organization that
5 facilitates the generation of child sexual abuse material; relating to social media and
6 minors; and providing for an effective date."

7 **BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

8 * **Section 1.** AS 11.46 is amended by adding a new section to read:

9 **Sec. 11.46.575. Distribution of a forged digital likeness.** (a) A person
10 commits the crime of distribution of a forged digital likeness if the person

11 (1) knowingly distributes a forged digital likeness of a person with the
12 intent to defraud, harass, threaten, or intimidate another person; and

13 (2) knows or reasonably should know the forged digital likeness is not

1 authentic.

2 (b) Nothing in this section shall be construed to prohibit the distribution of a
3 visual representation or audio recording for a matter of cultural, historical, political,
4 religious, educational, newsworthy, or public interest, including for use in a work of
5 art, commentary, satire, or parody.

6 (c) Nothing in this section shall be construed to impose liability on an
7 interactive computer service, mobile telecommunications service provider, or
8 telecommunications network or broadband provider as a result of content provided by
9 another person.

10 (d) In this section,

11 (1) "forged digital likeness" means a visual representation of an actual
12 and identifiable individual or an audio recording of an actual and identifiable
13 individual's voice that has been digitally created, adapted, altered, or made
14 indistinguishable from an authentic visual representation or recording of the
15 individual, that misrepresents the appearance, speech, or conduct of the individual, and
16 that is likely to deceive a reasonable person into believing the visual representation or
17 audio recording is authentic;

18 (2) "interactive computer service" has the meaning given in
19 AS 11.61.127(b);

20 (3) "visual representation" means any pictorial or motion picture
21 representation, regardless of the media format that is used.

22 (e) Distribution of a forged digital likeness is a class A misdemeanor.

23 * **Sec. 2.** AS 11.61 is amended by adding a new section to read:

24 **Sec. 11.61.117. Distribution of a generated sexual depiction.** (a) A person
25 commits the crime of distribution of a generated sexual depiction if the person
26 knowingly distributes or threatens to distribute an electronic or printed photograph,
27 picture, or film that depicts, by manipulation, creation, or modification, the genitals,
28 anus, or female breast of another person or shows another person engaged in a sexual
29 act with reckless disregard that the distribution may result in physical, emotional,
30 reputational, or economic harm to the other person.

31 (b) In an action under (a) of this section, it is not a defense that the electronic

1 or printed photograph, picture, or film contains a disclaimer stating that the depiction
 2 was unauthorized or that the depicted person did not participate in the creation or
 3 development of the electronic or printed photograph, picture, or film.

4 (c) In this section, "distribution" has the meaning given in AS 11.61.121(c).

5 (d) Distribution of a generated sexual depiction is a class A misdemeanor.

6 * **Sec. 3.** AS 11.61.118(a) is amended to read:

7 (a) A person commits the crime of harassment in the first degree if

8 **(1)** [,] under circumstances not proscribed under AS 11.41.410 -
 9 11.41.427 or 11.41.434 - 11.41.440, the person violates AS 11.61.120(a)(5) and the
 10 offensive physical contact is contact

11 **(A)** [(1)] with human or animal blood, mucus, saliva, semen,
 12 urine, vomitus, or feces; or

13 **(B)** [(2)] by the person touching through clothing another
 14 person's genitals, buttocks, or female breast; **or**

15 **(2) under circumstances not proscribed under AS 11.61.117, the**
 16 **person violates AS 11.61.120(a)(6) and the published or distributed electronic or**
 17 **printed photograph, picture, or film depicts, by manipulation, creation, or**
 18 **modification, the other person engaged in a sexual act.**

19 * **Sec. 4.** AS 11.61.120(a) is amended to read:

20 (a) A person commits the crime of harassment in the second degree if, with
 21 intent to harass or annoy another person, that person

22 (1) insults, taunts, or challenges another person in a manner likely to
 23 provoke an immediate violent response;

24 (2) telephones another and fails to terminate the connection with intent
 25 to impair the ability of that person to place or receive telephone calls;

26 (3) makes repeated telephone calls at extremely inconvenient hours;

27 (4) makes an anonymous or obscene telephone call, an obscene
 28 electronic communication, or a telephone call or electronic communication that
 29 threatens physical injury or sexual contact;

30 (5) subjects another person to offensive physical contact;

31 (6) except as provided in AS 11.61.116, publishes or distributes

1 electronic or printed photographs, pictures, or films that show the genitals, anus, or
2 female breast of the other person or show that person engaged in a sexual act;

3 (7) repeatedly sends or publishes an electronic communication that
4 insults, taunts, challenges, or intimidates a person under 18 years of age in a manner
5 that places the person in reasonable fear of physical injury; or

6 (8) under circumstances not proscribed under AS 11.41.455,
7 AS 11.61.117, 11.61.121, 11.61.125 [AS 11.61.125], or 11.61.128, repeatedly sends to
8 another person, publishes, or distributes electronic or printed photographs, pictures, or
9 films that show the genitals of any person.

10 * **Sec. 5.** AS 11.61 is amended by adding new sections to read:

11 **Sec. 11.61.121. Distribution of generated obscene child sexual abuse**
12 **material.** (a) A person commits the crime of distribution of generated obscene child
13 sexual abuse material if the person distributes in this state or advertises, promotes,
14 solicits, or offers to distribute in this state any material that is proscribed under
15 AS 11.61.122.

16 (b) The possession of 100 or more films, audio, video, electronic, or
17 electromagnetic recordings, photographs, negatives, slides, books, newspapers,
18 magazines, or other materials, including a combination of these items totaling 100 or
19 more, is prima facie evidence of distribution and intent to distribute under (a) of this
20 section.

21 (c) In this section, "distribution" includes the following, whether or not for
22 monetary or other consideration: delivering, selling, renting, leasing, lending, giving,
23 circulating, exhibiting, presenting, providing, exchanging, placing on a computer
24 network or computer system, and providing billing collection, or other ancillary
25 services for or otherwise supporting these activities.

26 (d) Distribution of generated obscene child sexual abuse material is a

27 (1) class B felony; or

28 (2) class A felony if the person has been previously convicted of
29 distribution of generated obscene child sexual abuse material in this jurisdiction,
30 distribution of child sexual abuse materials under AS 11.61.125, or a similar crime in
31 this or another jurisdiction.

1 **Sec. 11.61.122. Possession of generated obscene child sexual abuse**
 2 **material.** (a) A person commits the crime of possession of generated obscene child
 3 sexual abuse material if the person knowingly possesses or knowingly accesses on a
 4 computer with intent to view any material that

5 (1) the average person, applying contemporary community standards,
 6 would find, when considered as a whole, appeals to the prurient interest;

7 (2) depicts, in a patently offensive way, a child under 18 years of age
 8 who, by manipulation, creation, or modification, appears to be engaged in conduct
 9 described in AS 11.41.455(a)(1) - (7), regardless of whether an actual child was used;
 10 and

11 (3) when considered as a whole, lacks serious literary, artistic,
 12 political, or scientific value.

13 (b) This section does not apply to an employee or contractor of an interactive
 14 computer service, Internet service provider, cloud service provider, or
 15 telecommunications network who, while acting in the scope of employment, possesses
 16 or accesses the material described in (a) of this section solely to prevent, detect, report,
 17 or otherwise respond to the production, generation, manipulation, or modification of
 18 the material. In this subsection, "interactive computer service" has the meaning given
 19 in AS 11.61.127(b).

20 (c) In this section, "computer" has the meaning given in AS 11.46.990.

21 (d) Possession of generated obscene child sexual abuse material is a class C
 22 felony.

23 * **Sec. 6.** AS 11.61.125(e) is amended to read:

24 (e) Distribution of child sexual abuse material is a

25 (1) class B felony; or

26 (2) class A felony if the person has been previously convicted of
 27 distribution of child sexual abuse material in this jurisdiction, **distribution of**
 28 **generated obscene child sexual abuse material under AS 11.61.121**, or a similar
 29 crime in this or another jurisdiction.

30 * **Sec. 7.** AS 11.61.127(a) is amended to read:

31 (a) A person commits the crime of possession of child sexual abuse material if

1 the person knowingly possesses or knowingly accesses on a computer with intent to
 2 view any material that visually depicts conduct described in AS 11.41.455(a)(1) - (7)
 3 [AS 11.41.455(a)] knowing that the

4 (1) production of the material involved the use of a child under 18
 5 years of age who engaged in the conduct; or

6 (2) material depicts [A DEPICTION OF] a part of an actual child
 7 under 18 years of age who, by manipulation, creation, or modification, appears to be
 8 engaged in the conduct.

9 * **Sec. 8.** AS 11.61.127(b) is amended to read:

10 (b) This section does not apply to

11 (1) persons providing plethysmograph assessments in the course of a
 12 sex offender treatment program that meets the minimum standards under
 13 AS 33.30.011(a)(5); or

14 (2) an employee or contractor of an interactive computer service,
 15 Internet service provider, cloud service provider, or telecommunications network
 16 who, while acting in the scope of employment, possesses or accesses the material
 17 described in (a) of this section solely to prevent, detect, report, or otherwise
 18 respond to the production, generation, manipulation, or modification of the
 19 material; in this paragraph, "interactive computer service" means an
 20 information service, system, or access software provider that provides or enables
 21 computer access by multiple users to a computer server, including specifically a
 22 service or system that provides access to the Internet and those systems operated
 23 or services offered by libraries or educational institutions.

24 * **Sec. 9.** AS 11.61.129(a) is amended to read:

25 (a) Property used to aid a violation of AS 11.61.121 - 11.61.128
 26 [AS 11.61.123 - 11.61.128] or to aid the solicitation of, attempt to commit, or
 27 conspiracy to commit a violation of AS 11.61.121 - 11.61.128 [AS 11.61.123 -
 28 11.61.128] may be forfeited to the state upon the conviction of the offender.

29 * **Sec. 10.** AS 11.66.100(c) is amended to read:

30 (c) A person may not be prosecuted under (a)(1) of this section if the

31 (1) person witnessed or was a victim of, and reported to law

1 enforcement in good faith, one or more of the following crimes:

- 2 (A) murder in the first degree under AS 11.41.100;
- 3 (B) murder in the second degree under AS 11.41.110;
- 4 (C) manslaughter under AS 11.41.120;
- 5 (D) criminally negligent homicide under AS 11.41.130;
- 6 (E) assault in the first degree under AS 11.41.200;
- 7 (F) assault in the second degree under AS 11.41.210;
- 8 (G) assault in the third degree under AS 11.41.220;
- 9 (H) assault in the fourth degree under AS 11.41.230;
- 10 (I) sexual assault in the first degree under AS 11.41.410;
- 11 (J) sexual assault in the second degree under AS 11.41.420;
- 12 (K) sexual assault in the third degree under AS 11.41.425;
- 13 (L) sexual assault in the fourth degree under AS 11.41.427;
- 14 (M) sexual abuse of a minor in the first degree under
- 15 AS 11.41.434;
- 16 (N) sexual abuse of a minor in the second degree under
- 17 AS 11.41.436;
- 18 (O) sexual abuse of a minor in the third degree under
- 19 AS 11.41.438;
- 20 (P) sexual abuse of a minor in the fourth degree under
- 21 AS 11.41.440;
- 22 (Q) robbery in the first degree under AS 11.41.500;
- 23 (R) robbery in the second degree under AS 11.41.510;
- 24 (S) extortion under AS 11.41.520;
- 25 (T) coercion under AS 11.41.530;
- 26 (U) distribution of child sexual abuse material under
- 27 AS 11.61.125;
- 28 (V) possession of child sexual abuse material under
- 29 AS 11.61.127;
- 30 (W) sex trafficking in the first degree under AS 11.66.110;
- 31 (X) sex trafficking in the second degree under AS 11.66.120;

1 (Y) sex trafficking in the third degree under AS 11.66.130;

2 [OR]

3 (Z) sex trafficking in the fourth degree under AS 11.66.135;

4 **(AA) distribution of generated obscene child sexual abuse**
 5 **material under AS 11.61.121; or**

6 **(BB) possession of generated obscene child sexual abuse**
 7 **material under AS 11.61.122;**

8 (2) evidence supporting the prosecution under (a)(1) of this section
 9 was obtained or discovered as a result of the person reporting the crime to law
 10 enforcement; and

11 (3) person cooperated with law enforcement personnel.

12 * **Sec. 11.** AS 12.10.010(a) is amended to read:

13 (a) Prosecution for the following offenses may be commenced at any time:

14 (1) murder;

15 (2) attempt, solicitation, or conspiracy to commit murder or hindering
 16 the prosecution of murder;

17 (3) felony sexual abuse of a minor;

18 (4) sexual assault that is an unclassified, class A, or class B felony or a
 19 violation of AS 11.41.425(a)(2) - (4);

20 (5) a violation of AS 11.41.425, 11.41.427, 11.41.450 - 11.41.458,
 21 AS 11.66.110 - 11.66.130, or former AS 11.41.430, when committed against a person
 22 who, at the time of the offense, was under 18 years of age;

23 (6) kidnapping;

24 (7) **distribution of generated obscene child sexual abuse material in**
 25 **violation of AS 11.61.121 or** distribution of child sexual abuse material in violation of
 26 AS 11.61.125;

27 (8) sex trafficking in violation of AS 11.66.110 - 11.66.130 that is an
 28 unclassified, class A, or class B felony or that is committed against a person who, at
 29 the time of the offense, was under 20 years of age;

30 (9) human trafficking in violation of AS 11.41.360 or 11.41.365.

31 * **Sec. 12.** AS 12.55.078(f) is amended to read:

1 (f) The court may not suspend the imposition or entry of judgment and may
2 not defer prosecution under this section of a person who

3 (1) is charged with a violation of AS 11.41.100 - 11.41.220, 11.41.260
4 - 11.41.320, 11.41.360 - 11.41.370, 11.41.410 - 11.41.530, AS 11.46.400,
5 **AS 11.61.121, 11.61.122, 11.61.125 - 11.61.128** [AS 11.61.125 - 11.61.128], or
6 AS 11.66.110 - 11.66.135;

7 (2) uses a firearm in the commission of the offense for which the
8 person is charged;

9 (3) has previously been granted a suspension of judgment under this
10 section or a similar statute in another jurisdiction, unless the court enters written
11 findings that by clear and convincing evidence the person's prospects for rehabilitation
12 are high and suspending judgment under this section adequately protects the victim of
13 the offense, if any, and the community;

14 (4) is charged with a violation of AS 11.41.230, 11.41.250, or a felony
15 and the person has one or more prior convictions for a misdemeanor violation of
16 AS 11.41 or for a felony or for a violation of a law in this or another jurisdiction
17 having similar elements to an offense defined as a misdemeanor in AS 11.41 or as a
18 felony in this state; for the purposes of this paragraph, a person shall be considered to
19 have a prior conviction even if

20 (A) the charges were dismissed under this section;

21 (B) the conviction has been set aside under AS 12.55.085; or

22 (C) the charge or conviction was dismissed or set aside under
23 an equivalent provision of the laws of another jurisdiction; or

24 (5) is charged with a crime involving domestic violence, as defined in
25 AS 18.66.990.

26 * **Sec. 13.** AS 12.55.085(f) is amended to read:

27 (f) The court may not suspend the imposition of sentence of a person who

28 (1) is convicted of a violation of AS 11.41.100 - 11.41.220, 11.41.260
29 - 11.41.320, 11.41.360 - 11.41.370, 11.41.410 - 11.41.530, AS 11.46.400,
30 **AS 11.61.121, 11.61.122, 11.61.125 - 11.61.128** [AS 11.61.125 - 11.61.128], or
31 AS 11.66.110 - 11.66.135;

1 (2) uses a firearm in the commission of the offense for which the
2 person is convicted; or

3 (3) is convicted of a violation of AS 11.41.230 - 11.41.250 or a felony
4 and the person has one or more prior convictions for a misdemeanor violation of
5 AS 11.41 or for a felony or for a violation of a law in this or another jurisdiction
6 having similar elements to an offense defined as a misdemeanor in AS 11.41 or as a
7 felony in this state; for the purposes of this paragraph, a person shall be considered to
8 have a prior conviction even if that conviction has been set aside under (e) of this
9 section or under the equivalent provision of the laws of another jurisdiction.

10 * **Sec. 14.** AS 12.55.100(e) is amended to read:

11 (e) In addition to other conditions imposed on the defendant, while on
12 probation and as a condition of probation

13 (1) for a sex offense, as described in AS 12.63.100, the defendant

14 (A) shall be required to submit to regular periodic polygraph
15 examinations;

16 (B) may be required to provide each electronic mail address,
17 instant messaging address, and other Internet communication identifier that the
18 defendant uses to the defendant's probation officer; the probation officer shall
19 forward those addresses and identifiers to the Alaska state troopers and to the
20 local law enforcement agency;

21 (2) if the defendant was convicted of a violation of AS 11.41.434 -
22 11.41.455, AS 11.61.121, 11.61.122, 11.61.125 - 11.61.128 [AS 11.61.125 -
23 11.61.128], or a similar offense in another jurisdiction, the defendant may be required
24 to refrain from

25 (A) using or creating an Internet site;

26 (B) communicating with children under 16 years of age;

27 (C) possessing or using a computer; or

28 (D) residing within 500 feet of school grounds; in this
29 subparagraph, "school grounds" has the meaning given in AS 11.71.900.

30 * **Sec. 15.** AS 12.55.125(i) is amended to read:

31 (i) A defendant convicted of

1 (1) sexual assault in the first degree under AS 11.41.410(a)(1)(A), (2),
2 (3), or (4), sexual abuse of a minor in the first degree, unlawful exploitation of a minor
3 under AS 11.41.455(c)(2), or sex trafficking in the first degree under
4 AS 11.66.110(a)(2) may be sentenced to a definite term of imprisonment of not more
5 than 99 years and shall be sentenced to a definite term within the following
6 presumptive ranges, subject to adjustment as provided in AS 12.55.155 - 12.55.175:

7 (A) if the offense is a first felony conviction, the offense does
8 not involve circumstances described in (B) of this paragraph, and the victim
9 was

10 (i) less than 13 years of age, 25 to 35 years;

11 (ii) 13 years of age or older, 20 to 30 years;

12 (B) if the offense is a first felony conviction and the defendant
13 possessed a firearm, used a dangerous instrument, or caused serious physical
14 injury during the commission of the offense, 25 to 35 years;

15 (C) if the offense is a second felony conviction and does not
16 involve circumstances described in (D) of this paragraph, 30 to 40 years;

17 (D) if the offense is a second felony conviction and the
18 defendant has a prior conviction for a sexual felony, 35 to 45 years;

19 (E) if the offense is a third felony conviction and the defendant
20 is not subject to sentencing under (F) of this paragraph or (I) of this section, 40
21 to 60 years;

22 (F) if the offense is a third felony conviction, the defendant is
23 not subject to sentencing under (I) of this section, and the defendant has two
24 prior convictions for sexual felonies, 99 years;

25 (2) sexual assault in the first degree under AS 11.41.410(a)(1)(B),
26 unlawful exploitation of a minor under AS 11.41.455(c)(1), enticement of a minor
27 under AS 11.41.452(e), or attempt, conspiracy, or solicitation to commit sexual assault
28 in the first degree under AS 11.41.410(a)(1)(A), (2), (3), or (4), sexual abuse of a
29 minor in the first degree, or sex trafficking in the first degree under
30 AS 11.66.110(a)(2) may be sentenced to a definite term of imprisonment of not more
31 than 99 years and shall be sentenced to a definite term within the following

1 presumptive ranges, subject to adjustment as provided in AS 12.55.155 - 12.55.175:

2 (A) if the offense is a first felony conviction, the offense does
3 not involve circumstances described in (B) of this paragraph, and the victim
4 was

5 (i) under 13 years of age, 20 to 30 years;

6 (ii) 13 years of age or older, 15 to 30 years;

7 (B) if the offense is a first felony conviction and the defendant
8 possessed a firearm, used a dangerous instrument, or caused serious physical
9 injury during the commission of the offense, 25 to 35 years;

10 (C) if the offense is a second felony conviction and does not
11 involve circumstances described in (D) of this paragraph, 25 to 35 years;

12 (D) if the offense is a second felony conviction and the
13 defendant has a prior conviction for a sexual felony, 30 to 40 years;

14 (E) if the offense is a third felony conviction, the offense does
15 not involve circumstances described in (F) of this paragraph, and the defendant
16 is not subject to sentencing under (I) of this section, 35 to 50 years;

17 (F) if the offense is a third felony conviction, the defendant is
18 not subject to sentencing under (I) of this section, and the defendant has two
19 prior convictions for sexual felonies, 99 years;

20 (3) sexual assault in the second degree, sexual abuse of a minor in the
21 second degree, enticement of a minor under AS 11.41.452(d), indecent exposure in the
22 first degree under AS 11.41.458(b)(2), **distribution of generated obscene child**
23 **sexual abuse material under AS 11.61.121(d)(2)**, distribution of child sexual abuse
24 material under AS 11.61.125(e)(2), patron of a victim of sex trafficking under
25 AS 11.66.137, or attempt, conspiracy, or solicitation to commit sexual assault in the
26 first degree under AS 11.41.410(a)(1)(B) may be sentenced to a definite term of
27 imprisonment of not more than 99 years and shall be sentenced to a definite term
28 within the following presumptive ranges, subject to adjustment as provided in
29 AS 12.55.155 - 12.55.175:

30 (A) if the offense is a first felony conviction, five to 15 years;

31 (B) if the offense is a second felony conviction and does not

1 involve circumstances described in (C) of this paragraph, 10 to 25 years;

2 (C) if the offense is a second felony conviction and the
3 defendant has a prior conviction for a sexual felony, 15 to 30 years;

4 (D) if the offense is a third felony conviction and does not
5 involve circumstances described in (E) of this paragraph, 20 to 35 years;

6 (E) if the offense is a third felony conviction and the defendant
7 has two prior convictions for sexual felonies, 99 years;

8 (4) sexual assault in the third degree, sexual abuse of a minor in the
9 third degree under AS 11.41.438(c), incest, indecent exposure in the first degree under
10 AS 11.41.458(b)(1), **distribution of generated obscene child sexual abuse material**
11 **under AS 11.61.121(d)(1), possession of generated obscene child sexual abuse**
12 **material**, indecent viewing or production of a picture under AS 11.61.123(g)(1) or
13 (2), possession of child sexual abuse material, distribution of child sexual abuse
14 material under AS 11.61.125(e)(1), patron of a victim of sex trafficking under
15 AS 11.66.137, or attempt, conspiracy, or solicitation to commit sexual assault in the
16 second degree, sexual abuse of a minor in the second degree, **distribution of**
17 **generated obscene child sexual abuse material**, unlawful exploitation of a minor,
18 distribution of child sexual abuse material **under AS 11.61.125(e)(2)**, or patron of a
19 victim of sex trafficking under AS 11.66.137, may be sentenced to a definite term of
20 imprisonment of not more than 99 years and shall be sentenced to a definite term
21 within the following presumptive ranges, subject to adjustment as provided in
22 AS 12.55.155 - 12.55.175:

23 (A) if the offense is a first felony conviction and does not
24 involve the circumstances described in (B) or (C) of this paragraph, two to 12
25 years;

26 (B) if the offense is a first felony conviction under
27 **AS 11.61.121(d)(1) or 11.61.125(e)(1)** [AS 11.61.125(e)(1)] and does not
28 involve circumstances described in (C) of this paragraph, four to 12 years;

29 (C) if the offense is a first felony conviction under
30 **AS 11.61.121(d)(1) or 11.61.125(e)(1)** [AS 11.61.125(e)(1)], and the
31 defendant hosted, created, or helped host or create a mechanism for multi-party

1 sharing or distribution of **generated obscene child sexual abuse material or**
 2 child sexual abuse material, or received a financial benefit or had a financial
 3 interest in a **generated obscene child sexual abuse material or** child sexual
 4 abuse material sharing or distribution mechanism, six to 14 years;

5 (D) if the offense is a second felony conviction and does not
 6 involve circumstances described in (E) of this paragraph, eight to 15 years;

7 (E) if the offense is a second felony conviction and the
 8 defendant has a prior conviction for a sexual felony, 12 to 20 years;

9 (F) if the offense is a third felony conviction and does not
 10 involve circumstances described in (G) of this paragraph, 15 to 25 years;

11 (G) if the offense is a third felony conviction and the defendant
 12 has two prior convictions for sexual felonies, 99 years.

13 * **Sec. 16.** AS 12.55.127(d) is amended to read:

14 (d) If the defendant is being sentenced for two or more crimes of **distribution**
 15 **of generated obscene child sexual abuse material under AS 11.61.121, possession**
 16 **of generated obscene child sexual abuse material under AS 11.61.122,** distribution
 17 of child sexual abuse material under AS 11.61.125, possession of child sexual abuse
 18 material under AS 11.61.127, or distribution of indecent material to minors under
 19 AS 11.61.128, a consecutive term of imprisonment shall be imposed for some
 20 additional term of imprisonment for each additional crime or each additional attempt
 21 or solicitation to commit the offense.

22 * **Sec. 17.** AS 12.55.185(16) is amended to read:

23 (16) "sexual felony" means sexual assault in the first degree, sexual
 24 abuse of a minor in the first degree, sex trafficking in the first degree, sexual assault in
 25 the second degree, sexual abuse of a minor in the second degree, sexual abuse of a
 26 minor in the third degree under AS 11.41.438(c), unlawful exploitation of a minor,
 27 patron of a victim of sex trafficking, **distribution of generated obscene child sexual**
 28 **abuse material, possession of generated obscene child sexual abuse material,**
 29 indecent viewing or production of a picture under AS 11.61.123(g)(1) or (2),
 30 distribution of child sexual abuse material, sexual assault in the third degree, incest,
 31 indecent exposure in the first degree, possession of child sexual abuse material,

1 enticement of a minor, and felony attempt, conspiracy, or solicitation to commit those
2 crimes;

3 * **Sec. 18.** AS 12.62.900(22) is amended to read:

4 (22) "serious offense" means a conviction for a violation or for an
5 attempt, solicitation, or conspiracy to commit a violation of any of the following laws,
6 or of the laws of another jurisdiction with substantially similar elements:

7 (A) a felony offense;

8 (B) a crime involving domestic violence;

9 (C) AS 11.41.410 - 11.41.470;

10 (D) AS 11.51.130, 11.51.200 - 11.51.220, or AS 11.56.100 -
11 11.56.210 [OR 11.51.200 - 11.56.210];

12 (E) AS 11.61.110(a)(7), 11.61.121, or 11.61.125;

13 (F) AS 11.66.100 - 11.66.130;

14 (G) former AS 11.15.120, former 11.15.134, or assault with the
15 intent to commit rape under former AS 11.15.160; or

16 (H) former AS 11.40.080, 11.40.110, 11.40.130, or 11.40.200 -
17 11.40.420, if committed before January 1, 1980.

18 * **Sec. 19.** AS 12.63.100(7) is amended to read:

19 (7) "sex offense" means

20 (A) a crime under AS 11.41.100(a)(3), or a similar law of
21 another jurisdiction, in which the person committed or attempted to commit a
22 sexual offense, or a similar offense under the laws of the other jurisdiction; in
23 this subparagraph, "sexual offense" has the meaning given in
24 AS 11.41.100(a)(3);

25 (B) a crime under AS 11.41.110(a)(3), or a similar law of
26 another jurisdiction, in which the person committed or attempted to commit
27 one of the following crimes, or a similar law of another jurisdiction:

28 (i) sexual assault in the first degree;

29 (ii) sexual assault in the second degree;

30 (iii) sexual abuse of a minor in the first degree; or

31 (iv) sexual abuse of a minor in the second degree;

1 (C) a crime, or an attempt, solicitation, or conspiracy to commit
2 a crime, under the following statutes or a similar law of another jurisdiction:

3 (i) AS 11.41.410 - 11.41.438;

4 (ii) AS 11.41.440(a)(2);

5 (iii) AS 11.41.450 - 11.41.458;

6 (iv) AS 11.41.460 or AS 26.05.900(c) if the indecent
7 exposure is before a person under 16 years of age and the offender has
8 previously been convicted under AS 11.41.460 or AS 26.05.900(c);

9 (v) AS 11.61.125 - 11.61.128;

10 (vi) AS 11.66.130(a)(2)(B) or AS 26.05.900(b) if the
11 person who was induced or caused to engage in prostitution was under
12 20 years of age at the time of the offense;

13 (vii) former AS 11.15.120, former 11.15.134, or assault
14 with the intent to commit rape under former AS 11.15.160, former
15 AS 11.40.110, or former 11.40.200;

16 (viii) AS 11.61.118(a)(1)(B) or former
17 AS 11.61.118(a)(2) if the offender has a previous conviction for that
18 offense;

19 (ix) AS 11.66.100(a)(2) if the offender is subject to
20 punishment under former AS 11.66.100(e);

21 (x) AS 26.05.890 if the person engaged in sexual
22 penetration or sexual contact with the victim;

23 (xi) AS 26.05.890 if, at the time of the offense, the
24 victim is under a duty to obey the lawful orders of the offender,
25 regardless of whether the offender is in the direct chain of command
26 over the victim;

27 (xii) AS 26.05.893 if the person engaged in sexual
28 penetration or sexual contact with the victim;

29 (xiii) AS 26.05.900(a) if the victim is under 18 years of
30 age at the time of the offense;

31 (xiv) AS 26.05.900 if, at the time of the offense, the

1 victim is under a duty to obey the lawful orders of the offender,
 2 regardless of whether the offender is in the direct chain of command
 3 over the victim;

4 (xv) AS 11.61.123 if the offender is subject to
 5 punishment under AS 11.61.123(g)(1) or (2);

6 (xvi) AS 11.66.137;

7 (xvii) AS 11.61.130(a)(2); or

8 (xviii) AS 11.66.110 and 11.66.120;

9 (D) an offense, or an attempt, solicitation, or conspiracy to
 10 commit an offense, under AS 26.05.935(b), or a similar law of another
 11 jurisdiction, if the member of the militia commits one of the following
 12 enumerated offenses punishable under Article 134, 10 U.S.C. 934 (Uniform
 13 Code of Military Justice):

14 (i) child sexual abuse material; or

15 (ii) pandering and prostitution if the person who is
 16 induced, enticed, caused, or procured to engage in a sexual act is under
 17 20 years of age at the time of the offense; or

18 (E) an offense in which the person is required to register as a
 19 sex offender under the laws of another jurisdiction;

20 * **Sec. 20.** AS 14.20.030(b) is amended to read:

21 (b) The commissioner or the Professional Teaching Practices Commission
 22 shall revoke for life the certificate of a person who has been convicted of a crime, or
 23 an attempt, solicitation, or conspiracy to commit a crime, involving a minor under
 24 AS 11.41.410 - 11.41.460, AS 11.61.121, 11.61.122, 11.61.125 [AS 11.61.125], or
 25 11.61.127, or a law or ordinance in another jurisdiction with elements similar to an
 26 offense described in this subsection.

27 * **Sec. 21.** AS 28.15.046(c) is amended to read:

28 (c) The department may not issue a license under this section to an applicant

29 (1) who has been convicted of any of the following offenses:

30 (A) a violation, or an attempt, solicitation, or conspiracy to
 31 commit a violation, of AS 11.41.100 - 11.41.220, 11.41.260 - 11.41.320,

1 11.41.360 - 11.41.370, 11.41.410 - 11.41.470, or 11.41.500 - 11.41.530;

2 (B) a felony violation of endangering the welfare of a child in
3 the first degree under AS 11.51.100;

4 (C) felony indecent viewing or production of a picture under
5 AS 11.61.123;

6 (D) distribution of child sexual abuse material under
7 AS 11.61.125;

8 (E) possession of child sexual abuse material under
9 AS 11.61.127;

10 (F) distribution of indecent material to minors under
11 AS 11.61.128;

12 (G) patron of a victim of sex trafficking under AS 11.66.137;

13 (H) sex trafficking in the first, second, or third degree under
14 AS 11.66.110 - 11.66.130;

15 (I) a felony involving distribution of a controlled substance
16 under AS 11.71 or imitation controlled substance under AS 11.73;

17 (J) a felony violation under AS 28.35.030(n) or 28.35.032(p);

18 **(K) distribution of generated obscene child sexual abuse**
19 **material under AS 11.61.121;**

20 **(L) possession of generated obscene child sexual abuse**
21 **material under AS 11.61.122;** or

22 (2) who has been convicted of any of the following offenses and less
23 than two years have elapsed since the applicant's date of conviction for the offense:

24 (A) assault in the fourth degree under AS 11.41.230;

25 (B) reckless endangerment under AS 11.41.250;

26 (C) contributing to the delinquency of a minor under
27 AS 11.51.130;

28 (D) misdemeanor prostitution under AS 11.66.100(a)(2);

29 (E) a misdemeanor violation of endangering the welfare of a
30 child in the first degree under AS 11.51.100.

31 * **Sec. 22.** AS 44.23.080(a) is amended to read:

1 (a) If there is reasonable cause to believe that an Internet service account has
2 been used in connection with a violation of AS 11.41.452, 11.41.455, or
3 AS 11.61.121, 11.61.122, or 11.61.125 - 11.61.128 [AS 11.61.125 - 11.61.128], and
4 that the identity, address, and other information about the account owner will assist in
5 obtaining evidence that is relevant to the offense, a law enforcement officer may apply
6 to the attorney general or the attorney general's designee for an administrative
7 subpoena to obtain the business records of the Internet service provider located inside
8 or outside of the state.

9 * **Sec. 23.** AS 45.50 is amended by adding a new section to article 5 to read:

10 **Article 5A. Civil Penalties for Generated Child Sexual Abuse Material.**

11 **Sec. 45.50.620.** (a) An organization may be sentenced to pay a fine in an
12 amount of \$1,000,000 for each instance in which a user of the organization's artificial
13 intelligence system created generated child sexual abuse material as described under
14 AS 11.61.122(a).

15 (b) In this section, "artificial intelligence" means a machine-based system that,
16 for explicit or implicit objectives, infers, from the input the system receives, how to
17 generate outputs, including predictions, content, recommendations, and decisions that
18 can influence physical or virtual environments, with different artificial intelligence
19 systems varying in levels of autonomy and adaptiveness after deployment.

20 * **Sec. 24.** AS 45.50 is amended by adding new sections to read:

21 **Article 5A. Social Media Platforms and Minors.**

22 **Sec. 45.50.650. User age verification and parental consent.** (a) A social
23 media platform may not allow a minor who is a resident of the state to create or
24 maintain an account on the platform without first obtaining written consent for the
25 minor to create and maintain the account from the minor's parent or another person
26 who has legal custody of the minor. When obtaining written consent for a minor to
27 create or maintain an account, the social media platform shall verify the identity of the
28 person consenting and the relationship of the consenting person to the minor.

29 (b) A social media platform shall verify the age of each user of the platform in
30 the state.

31 (c) A social media platform shall provide a mechanism for a consenting parent

1 to

2 (1) revoke consent for a minor user to create and maintain an account
3 at any time; and

4 (2) delete the minor user's account and all associated data.

5 **Sec. 45.50.660. Parental access to minor user's account.** (a) A social media
6 platform shall provide a consenting parent with full access to the minor user's account,
7 including all of the minor user's posts, messages, comments, likes, shares, and other
8 interactions on the platform.

9 (b) A social media platform may not restrict, limit, or interfere with a
10 consenting parent's ability to monitor, modify, or delete any content or activity on the
11 minor user's account.

12 (c) A social media platform shall notify a minor user when the minor's
13 consenting parent accesses the minor user's account or makes any changes to the
14 account settings or preferences.

15 **Sec. 45.50.670. Advertising to minor users prohibited.** A social media
16 platform may not display, send, or target an advertisement to a minor user or use data
17 collected from a minor user for an advertising purpose.

18 **Sec. 45.50.680. Content targeting minor users prohibited.** A social media
19 platform may not use an algorithm, artificial intelligence, machine learning, or other
20 technology to select, recommend, rank, or personalize content for a minor user based
21 on the minor user's profile, preferences, behavior, location, or other data.

22 **Sec. 45.50.690. Addictive features for minor users prohibited.** A social
23 media platform may not employ a feature, design, or mechanism that encourages or
24 rewards a minor user's excessive or compulsive use of the platform or that exploits the
25 psychological vulnerabilities of a minor user.

26 **Sec. 45.50.700. Curfew for minor users.** A social media platform may not
27 allow a minor user to access or use the platform between 10:30 p.m. and 6:30 a.m. in
28 the time zone where the user is accessing or using the platform unless the consenting
29 parent modifies these hours in the account settings.

30 **Sec. 45.50.710. Enforcement and penalties.** (a) If a social media platform
31 violates AS 45.50.650 - 45.50.740, the attorney general may bring an action in

1 superior court to seek injunctive relief, civil penalties, or other appropriate remedies.

2 (b) A social media platform that violates AS 45.50.650 - 45.50.740 is subject
3 to a civil penalty of not more than \$10,000 for each violation.

4 **Sec. 45.50.720. Private right of action.** If a social media platform violates
5 AS 45.50.650 - 45.50.740, a parent or other person with legal custody of a minor user
6 who is harmed by the violation may bring an action against the platform in superior
7 court to seek actual damages, punitive damages, attorney fees, and costs.

8 **Sec. 45.50.730. Definitions.** In AS 45.50.650 - 45.50.740,

9 (1) "consenting parent" means a parent or other person who has legal
10 custody of a minor who has consented to the minor's use of a social media platform;

11 (2) "minor" means a person under 18 years of age;

12 (3) "minor user" means a resident of the state under 18 years of age
13 who accesses or uses a social media platform;

14 (4) "social media platform" means an online service, application, or
15 Internet website that allows users to create, share, or view user-generated content,
16 including text, images, videos, or audio;

17 (5) "user" means a person who accesses or uses a social media
18 platform.

19 **Sec. 45.50.740. Short title.** AS 45.50.650 - 45.50.740 may be known as the
20 Alaska Social Media Regulation Act.

21 * **Sec. 25.** AS 47.12.110(d) is amended to read:

22 (d) Notwithstanding (a) of this section, a court hearing on a petition seeking
23 the adjudication of a minor as a delinquent shall be open to the public, except as
24 prohibited or limited by order of the court, if

25 (1) the department files with the court a motion asking the court to
26 open the hearing to the public, and the petition seeking adjudication of the minor as a
27 delinquent is based on

28 (A) the minor's alleged commission of an offense, and the
29 minor has knowingly failed to comply with all the terms and conditions
30 required of the minor by the department or imposed on the minor in a court
31 order entered under AS 47.12.040(a)(2) or 47.12.120;

1 (B) the minor's alleged commission of

2 (i) a crime against a person that is punishable as a
3 felony;

4 (ii) a crime in which the minor employed a deadly
5 weapon, as that term is defined in AS 11.81.900(b), in committing the
6 crime;

7 (iii) arson under AS 11.46.400 - 11.46.410;

8 (iv) burglary under AS 11.46.300;

9 (v) distribution of child sexual abuse material under
10 AS 11.61.125;

11 (vi) sex trafficking in the first degree under
12 AS 11.66.110;

13 **(vii) distribution of generated obscene child sexual**
14 **abuse material under AS 11.61.121; or**

15 **(viii)** [OR (vii)] misconduct involving a controlled
16 substance under AS 11.71 involving the delivery of a controlled
17 substance or the possession of a controlled substance with intent to
18 deliver, other than an offense under AS 11.71.040 or 11.71.050; or

19 (C) the minor's alleged commission of a felony and the minor
20 was 16 years of age or older at the time of commission of the offense when the
21 minor has previously been convicted or adjudicated a delinquent minor based
22 on the minor's commission of an offense that is a felony; or

23 (2) the minor agrees to a public hearing on the petition seeking
24 adjudication of the minor as a delinquent.

25 * **Sec. 26.** AS 47.12.315(a) is amended to read:

26 (a) Notwithstanding AS 47.12.310 and except as otherwise provided in this
27 section, the department shall disclose information to the public, on request, concerning
28 a minor subject to this chapter who was at least 13 years of age at the time of
29 commission of

30 (1) a felony offense against a person under AS 11.41;

31 (2) arson in the first or second degree;

- 1 (3) burglary in the first degree;
 2 (4) distribution of child sexual abuse material;
 3 (5) sex trafficking in the first degree;
 4 (6) misconduct involving a controlled substance in the first, second, or
 5 third degrees involving distribution or possession with intent to deliver; [OR]
 6 (7) misconduct involving weapons in the first through fourth degrees;

7 **or**

8 **(8) distribution of generated obscene child sexual abuse material**
 9 **under AS 11.61.121.**

10 * **Sec. 27.** AS 47.17.020(e) is amended to read:

11 (e) The department shall immediately notify the nearest law enforcement
 12 agency if the department

13 (1) concludes that the harm was caused by a person who is not
 14 responsible for the child's welfare;

15 (2) is unable to determine

16 (A) who caused the harm to the child; or

17 (B) whether the person who is believed to have caused the
 18 harm has responsibility for the child's welfare; or

19 (3) concludes that the report involves

20 (A) possible criminal sex abuse or sex offenses under
 21 AS 11.41.410 - 11.41.458, AS 11.61.116, **11.61.118(a)(1)(B)**
 22 [11.61.118(a)(2)], 11.61.120(a)(6), 11.61.123, or 11.61.128, including sex
 23 offenses committed by a minor against a minor; or

24 (B) abuse or neglect that results in the need for medical
 25 treatment of the child.

26 * **Sec. 28.** The uncodified law of the State of Alaska is amended by adding a new section to
 27 read:

28 REPORT TO THE LEGISLATURE. The attorney general shall prepare a report to the
 29 legislature on the regulations adopted to implement sec. 24 of this Act. The report must
 30 include the text of the adopted regulations. The attorney general shall submit the report to the
 31 senate secretary and the chief clerk of the house of representatives on or before January 1,

1 2028, and notify the legislature that the report is available.

2 * **Sec. 29.** The uncodified law of the State of Alaska is amended by adding a new section to
3 read:

4 APPLICABILITY. (a) The following sections apply to offenses committed on or after
5 the effective date of those sections:

6 (1) AS 11.46.575, enacted by sec. 1 of this Act;

7 (2) AS 11.61.117, enacted by sec. 2 of this Act;

8 (3) AS 11.61.118(a), as amended by sec. 3 of this Act;

9 (4) AS 11.61.120(a), as amended by sec. 4 of this Act;

10 (5) AS 11.61.125(e), as amended by sec. 6 of this Act;

11 (6) AS 11.61.127(a), as amended by sec. 7 of this Act;

12 (7) AS 11.61.127(b), as amended by sec. 8 of this Act;

13 (8) AS 11.61.129(a), as amended by sec. 9 of this Act; and

14 (9) AS 11.66.100(c), as amended by sec. 10 of this Act.

15 (b) The following sections apply to sentences imposed on or after the effective date of
16 those sections for conduct occurring on or after the effective date of those sections:

17 (1) AS 12.55.078(f), as amended by sec. 12 of this Act;

18 (2) AS 12.55.085(f), as amended by sec. 13 of this Act;

19 (3) AS 12.55.125(i), as amended by sec. 15 of this Act;

20 (4) AS 12.55.185(16), as amended by sec. 17 of this Act;

21 (5) AS 12.62.900(22), as amended by sec. 18 of this Act;

22 (6) AS 12.63.100(7), as amended by sec. 19 of this Act; and

23 (7) AS 14.20.030(b), as amended by sec. 20 of this Act.

24 (c) Section 24 of this Act applies to a contract entered into on or after the effective
25 date of sec. 24 of this Act.

26 * **Sec. 30.** Sections 24, 28, and 29(c) of this Act take effect January 1, 2027.

27