

## **BILL ANALYSIS**

Senate Research Center  
89R1461 SCL-D

H.B. 581  
By: González, Mary et al. (Hughes)  
State Affairs  
4/29/2025  
Engrossed

### **AUTHOR'S / SPONSOR'S STATEMENT OF INTENT**

H.B. 581 amends current law relating to the creation of artificial sexual material harmful to minors.

### **RULEMAKING AUTHORITY**

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends the heading to Chapter 129B, Civil Practice and Remedies Code, to read as follows:

#### **CHAPTER 129B. LIABILITY RELATED TO SEXUAL MATERIAL HARMFUL TO MINORS**

SECTION 2. Amends Section 129B.001, Civil Practice and Remedies Code, by amending Subdivision (1) and adding Subdivision (1-a) to define "artificial sexual material harmful to minors" and to make a nonsubstantive change.

SECTION 3. Amends the heading to Section 129B.002, Civil Practice and Remedies Code, to read as follows:

#### **Sec. 129B.002. PUBLICATION AND CREATION OF MATERIAL HARMFUL TO MINORS.**

SECTION 4. Amends Section 129B.002, Civil Practice and Remedies Code, by adding Subsection (a-1) and amending Subsection (b), as follows:

(a-1) Requires a commercial entity that operates an Internet website with a publicly accessible tool for creating artificial sexual material harmful to minors or otherwise makes publicly available an application for creating sexual material harmful to minors to use reasonable age verification methods as described by Section 129B.003 (Reasonable Age Verification Methods) to verify an individual attempting to access the tool is 18 years of age or older.

(b) Prohibits a commercial entity that performs the age verification required by Subsection (a) (relating to requiring a commercial entity that knowingly and intentionally publishes or distributes material on an Internet website more than one-third of which is sexual material harmful to minors, to use reasonable age verification methods) or (a-1) or a third party that performs the age verification required by Subsection (a) or (a-1) from retaining any identifying information of the individual.

SECTION 5. Amends Section 129B.003(b), Civil Practice and Remedies Code, as follows:

(b) Requires a commercial entity required to use reasonable age verification methods under Section 129B.002, rather than a commercial entity that knowingly and intentionally publishes or distributes material on an Internet website, or a third party that performs age verification under Chapter 129B to require an individual to perform certain actions.

SECTION 6. Amends Chapter 129B, Civil Practice and Remedies Code, by adding Section 129B.0045, as follows:

Sec. 129B.0045. REQUIREMENTS FOR SOURCES OF ARTIFICIAL SEXUAL MATERIAL HARMFUL TO MINORS. Requires a commercial entity that operates an Internet website with a publicly accessible tool for creating artificial sexual material harmful to minors or otherwise makes publicly available an application for creating artificial sexual material harmful to minors to ensure that an individual used as a source for the material is 18 years of age or older and has consented to the use of the individual's face and body as a source for the material.

SECTION 7. Amends Section 129B.006(b), Civil Practice and Remedies Code, as follows:

(b) Authorizes a civil penalty imposed under Section 129B.006 (Civil Penalty; Injunction) for a violation of certain sections of the Civil Practice and Remedies Code, including Section 129B.0045, to be in an amount equal to not more than the total, if applicable, of certain amounts, including \$10,000 per day that the entity operates an Internet website or makes available an application in violation of the age verification requirements of this chapter.

SECTION 8. Effective date: September 1, 2025.