

BILL ANALYSIS

S.B. 747
By: King
Public Education
Committee Report (Unamended)

BACKGROUND AND PURPOSE

The bill sponsor has informed the committee that the proliferation of digital communication platforms has introduced new challenges in maintaining student safety and privacy within public schools, including significant concern regarding the unauthorized creation and distribution of intimate visual material using artificial intelligence (AI) technologies capable of generating realistic but fabricated images and videos. The bill sponsor has further informed the committee that such actions can lead to severe emotional distress, reputational harm, and legal complications for the individuals involved, and that while current law addresses bullying and cyberbullying, it does not explicitly encompass incidents involving AI-generated intimate content, leaving schools without clear guidelines to manage and discipline such offenses effectively. S.B. 747 seeks to provide schools with the necessary tools to address the evolving challenges posed by technology in student interactions by setting out certain provisions relating to public school policies and programs regarding the production or distribution of certain intimate visual material by public school students, including material created using AI technology.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

S.B. 747 amends the Education Code to expressly include the release or threat to release intimate visual material created using artificial intelligence (AI) technology of a minor or a student who is 18 years of age or older without the student's consent among the bullying behavior by a student that triggers the authority to remove the student from class and place the student in a disciplinary alternative education program or expel the student.

S.B. 747 includes among the requirements for the minimum standards adopted by the Texas Education Agency for a public school district's bullying prevention policy the requirement for districts to include in the policy provisions specifically addressing incidents of bullying that involve the production or distribution of a video or image that depicts or appears to depict another student with the other student's intimate parts exposed or engaged in sexual conduct, including a video or image created through the use of AI technology. The bill, for purposes of bullying prevention policies and procedures in districts, includes in the definition of "cyberbullying" the production or distribution of a video or image that depicts or appears to depict another student with the student's intimate parts exposed or engaged in sexual conduct,

including a video or image created through the use of AI technology. The bill defines "intimate parts" and "sexual conduct" for such purposes by reference to Penal Code provisions relating to the offense of unlawful disclosure or promotion of intimate visual material.

S.B. 747 requires the programs developed by the Texas School Safety Center, in consultation with the office of the attorney general, for use by school districts to address the specific risks of producing or distributing visual material created using AI technology that appears to depict a student with the student's intimate parts exposed or engaged in sexual conduct.

S.B. 747 applies beginning with the 2025-2026 school year.

EFFECTIVE DATE

On passage, or, if the bill does not receive the necessary vote, September 1, 2025.