

**SENATE AMENDMENTS**  
**2<sup>nd</sup> Printing**

By: González of El Paso, Lalani,  
Garcia of Dallas

H.B. No. 581

A BILL TO BE ENTITLED

AN ACT

relating to the creation of artificial sexual material harmful to minors.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. The heading to Chapter 129B, Civil Practice and Remedies Code, is amended to read as follows:

CHAPTER 129B. LIABILITY RELATED TO SEXUAL MATERIAL HARMFUL TO [~~FOR~~  
~~ALLOWING~~] MINORS [~~TO ACCESS PORNOGRAPHIC MATERIAL~~]

SECTION 2. Section 129B.001, Civil Practice and Remedies Code, is amended by amending Subdivision (1) and adding Subdivision (1-a) to read as follows:

(1) "Artificial sexual material harmful to minors" means computer-generated sexual material harmful to minors that was produced, adapted, or modified using an artificial intelligence application or other computer software in which a person is recognizable as an actual person by the person's face, likeness, or other distinguishing characteristic, such as a unique birthmark or other recognizable feature.

(1-a) "Commercial entity" includes a corporation, limited liability company, partnership, limited partnership, sole proprietorship, or other legally recognized business entity.

SECTION 3. The heading to Section 129B.002, Civil Practice and Remedies Code, is amended to read as follows:

Sec. 129B.002. PUBLICATION AND CREATION OF MATERIAL HARMFUL

TO MINORS.

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

(a-1) 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 shall use reasonable age verification methods as described by Section 129B.003 to verify an individual attempting to access the tool is 18 years of age or older.

(b) A commercial entity that performs the age verification required by Subsection (a) or (a-1) or a third party that performs the age verification required by Subsection (a) or (a-1) may not retain any identifying information of the individual.

SECTION 5. Section 129B.003(b), Civil Practice and Remedies Code, is amended to read as follows:

(b) A commercial entity required to use reasonable age verification methods under Section 129B.002 ~~[that knowingly and intentionally publishes or distributes material on an Internet website]~~ or a third party that performs age verification under this chapter shall require an individual to:

(1) provide digital identification; or

(2) comply with a commercial age verification system that verifies age using:

(A) government-issued identification; or

(B) a commercially reasonable method that relies

on public or private transactional data to verify the age of an individual.

SECTION 6. Chapter 129B, Civil Practice and Remedies Code, is amended by adding Section 129B.0045 to read as follows:

Sec. 129B.0045. REQUIREMENTS FOR SOURCES OF ARTIFICIAL SEXUAL MATERIAL HARMFUL TO MINORS. 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 shall ensure that an individual used as a source for the material:

(1) is 18 years of age or older; and

(2) has consented to the use of the individual's face and body as a source for the material.

SECTION 7. Section 129B.006(b), Civil Practice and Remedies Code, is amended to read as follows:

(b) A civil penalty imposed under this section for a violation of Section 129B.002, ~~[or]~~ 129B.003, or 129B.0045 may be in an amount equal to not more than the total, if applicable, of:

(1) \$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;

(2) \$10,000 per instance when the entity retains identifying information in violation of Section 129B.002(b); and

(3) if, because of the entity's violation of the age verification requirements of this chapter, one or more minors accesses sexual material harmful to minors, an additional amount of

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1 not more than \$250,000.

2 SECTION 8. This Act takes effect September 1, 2025.

# ADOPTED

MAY 22 2025

*Lately Saw*  
Secretary of the Senate

FLOOR AMENDMENT NO. 1

BY: *Bryan Hughes*

Amend H.B. 581 (senate committee printing) as follows:

(1) In SECTION 4 of the bill, amending Section 129B.002, Civil Practice and Remedies Code (page 1, line 47), in the recital, strike "Subsection (a-1)" and substitute "Subsections (a-1) and (a-2)".

(2) In SECTION 4 of the bill, in added Section 129B.002(a-1), Civil Practice and Remedies Code (page 1, line 49), strike "A" and substitute "Except as provided by Subsection (a-2), a".

(3) In SECTION 4 of the bill, immediately after added Section 129B.002(a-1), Civil Practice and Remedies Code (page 1, between lines 55 and 56), insert the following:

(a-2) Subsection (a-1) does not apply to a commercial entity that:

(1) includes a prohibition against the generation of artificial sexual material harmful to minors in the entity's terms and conditions or use policies that must be acknowledged before a user is granted access; and

(2) takes affirmative steps to limit the creation of artificial sexual material harmful to minors through technological tools such as training an application or software creating artificial images to identify likely sexual material, providing effective reporting tools, filtering likely sexual material, filtering sexually explicit content generated by artificial intelligence before the material is shown to users, or filtering sexually explicit images from the entity's artificial intelligence dataset before the dataset is used to train the artificial intelligence.

(4) In SECTION 6 of the bill, in added Section 129B.0045,

1 Civil Practice and Remedies Code (page 2, line 16), strike "A" and  
2 substitute "(a) Except as provided by Subsection (b), a".

3 (5) In SECTION 6 of the bill, immediately after added  
4 Section 129B.0045, Civil Practice and Remedies Code (page 2,  
5 between lines 24 and 25), insert the following:

6 (b) This section does not apply to a commercial entity  
7 described by Section 129B.002(a-2).

8 (6) Add the following appropriately numbered SECTION to the  
9 bill and renumber subsequent SECTIONS of the bill accordingly:

10 SECTION \_\_\_\_\_. Section 129B.005(b), Civil Practice and  
11 Remedies Code, is amended to read as follows:

12 (b) An Internet service provider, or its affiliates or  
13 subsidiaries, a search engine, or a cloud service provider may not  
14 be held to have violated this chapter solely for providing access or  
15 connection to or from a website or other information or content on  
16 the Internet or on a facility, system, or network not under that  
17 provider's control, including transmission, downloading,  
18 intermediate storage, access software, or other services to the  
19 extent the provider or search engine is not responsible for the  
20 creation of the content that constitutes sexual material harmful to  
21 minors or artificial sexual material harmful to minors.

**LEGISLATIVE BUDGET BOARD**  
**Austin, Texas**

**FISCAL NOTE, 89TH LEGISLATIVE REGULAR SESSION**

**May 23, 2025**

**TO:** Honorable Dustin Burrows, Speaker of the House, House of Representatives

**FROM:** Jerry McGinty, Director, Legislative Budget Board

**IN RE: HB581** by González, Mary (Relating to the creation of artificial sexual material harmful to minors.),  
**As Passed 2nd House**

<b>No significant fiscal implication to the State is anticipated.</b>
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It is assumed that any costs associated with the bill could be absorbed using existing resources.

**Local Government Impact**

No significant fiscal implication to units of local government is anticipated.

**Source Agencies:** 212 Office of Court Administration, Texas Judicial Council, 302 Office of the Attorney General, 304  
Comptroller of Public Accounts

**LBB Staff:** JMc, WP, JPa, KDw, DA, NV

**LEGISLATIVE BUDGET BOARD**  
**Austin, Texas**

**FISCAL NOTE, 89TH LEGISLATIVE REGULAR SESSION**

**May 2, 2025**

**TO:** Honorable Bryan Hughes, Chair, Senate Committee on State Affairs

**FROM:** Jerry McGinty, Director, Legislative Budget Board

**IN RE: HB581** by González, Mary (Relating to the creation of artificial sexual material harmful to minors.),  
**As Engrossed**

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Comptroller of Public Accounts

**LBB Staff:** JMc, WP, JPa, KDw, DA, NV



**LEGISLATIVE BUDGET BOARD**  
**Austin, Texas**

**FISCAL NOTE, 89TH LEGISLATIVE REGULAR SESSION**

**March 10, 2025**

**TO:** Honorable Jeff Leach, Chair, House Committee on Judiciary & Civil Jurisprudence

**FROM:** Jerry McGinty, Director, Legislative Budget Board

**IN RE: HB581** by González, Mary (Relating to the creation of artificial sexual material harmful to minors.),  
**As Introduced**

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Comptroller of Public Accounts

**LBB Staff:** JMc, KDw, DA, JPa, NV