

ASSEMBLY BILL NO. 187—ASSEMBLYMEMBER DALIA

PREFILED FEBRUARY 3, 2025

Referred to Committee on Judiciary

SUMMARY—Revises provisions relating to pornography. (BDR 15-591)

FISCAL NOTE: Effect on Local Government: No. Effect on the State: Yes.

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EXPLANATION – Matter in *bolded italics* is new; matter between brackets ~~omitted material~~ is material to be omitted.

AN ACT relating to crimes; expanding certain prohibitions relating to pornography involving minors; revising provisions relating to the crime of unlawful dissemination of an intimate image; providing penalties; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

- 1 Existing law prohibits a person from committing certain acts regarding
- 2 pornography involving minors. (NRS 200.700-200.760) In general, **sections 1 and**
- 3 **2** of this bill expand these prohibitions to include pornography involving images of
- 4 minors that have been altered through the use of artificial intelligence.
- 5 Existing law provides that a person who knowingly prepares, advertises or
- 6 distributes any item or material that depicts a minor engaging in or simulating, or
- 7 assisting others to engage in or simulate, sexual conduct is guilty of a category B
- 8 felony. (NRS 200.725) **Section 1** expands this prohibition to include any item or
- 9 material that contains or incorporates an image of a minor that has been altered
- 10 through the use of artificial intelligence to depict the minor engaging in or
- 11 simulating, or assisting others to engage in or simulate, sexual conduct.
- 12 Existing law provides that a person who knowingly and willfully has in his or
- 13 her possession any film, photograph or other visual presentation depicting a person
- 14 under the age of 16 years as the subject of a sexual portrayal or engaging in,
- 15 simulating or assisting others to engage in or simulate, sexual conduct is guilty of:
- 16 (1) a category B felony for the first offense; and (2) a category A felony for any
- 17 subsequent offense. (NRS 200.730) **Section 2** expands this prohibition to include
- 18 any film, photograph or other visual representation that contains or incorporates an
- 19 image of a minor that has been altered through the use of artificial intelligence to
- 20 depict the minor as the subject of a sexual portrayal or engaging in or simulating, or
- 21 assisting others to engage in or simulate, sexual conduct.
- 22 Existing law requires a person convicted of a sexual offense to register as a sex
- 23 offender and comply with certain other requirements. (NRS 179D.441, 179D.445,
- 24 179D.460) Existing law defines the term sexual offense for the purposes of these



25 requirements to include any offense involving pornography and a minor. (NRS
26 179D.097) Because **sections 1 and 2** expand the applicability of offenses involving
27 pornography and a minor, **sections 1 and 2** have the effect of requiring a person
28 convicted of a violation of **section 1 or 2** to: (1) register as a sex offender under
29 certain circumstances; and (2) comply with certain other requirements applicable to
30 sex offenders.

31 Existing law provides that a person commits the crime of unlawful
32 dissemination of an intimate image and is guilty of a category D felony when, with
33 the intent to harass, harm or terrorize another person, the person electronically
34 disseminates or sells an intimate image which depicts the other person and the other
35 person: (1) did not give prior consent to the electronic dissemination or sale; (2)
36 had a reasonable expectation that the intimate image would be kept private and
37 would not be made visible to the public; and (3) was at least 18 years of age when
38 the intimate image was created. Existing law also sets forth certain exceptions
39 regarding when an intimate image may be lawfully electronically disseminated.
40 (NRS 200.780) **Section 3** of this bill revises the definition of "intimate image" for
41 the purposes of this crime to include a photorealistic image of another person that
42 has been altered through the use of artificial intelligence to depict the other person
43 engaging in, or simulating, or assisting others to engage in or simulate, sexual
44 conduct.

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN
SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

1 **Section 1.** NRS 200.725 is hereby amended to read as follows:

2 200.725 **1.** A person ~~{who}~~ *shall not* knowingly ~~{prepares;~~
3 ~~advertises}~~ *prepare, advertise* or ~~{distributes}~~ *distribute* any item or
4 material that ~~{depicts}~~ :

5 *(a) Depicts* a minor engaging in, or simulating, or assisting
6 others to engage in or simulate, sexual conduct ; *or*

7 *(b) Contains or incorporates, in any manner, an image of a*
8 *minor that has been altered through the use of artificial*
9 *intelligence to depict the minor engaging in, or simulating, or*
10 *assisting others to engage in or simulate, sexual conduct.*

11 **2.** *A person who violates the provisions of subsection 1* is
12 guilty of a category B felony and shall be punished by imprisonment
13 in the state prison for a minimum term of not less than 1 year and a
14 maximum term of not more than 15 years, or by a fine of not more
15 than \$15,000, or by both fine and imprisonment.

16 **Sec. 2.** NRS 200.730 is hereby amended to read as follows:

17 200.730 **1.** A person ~~{who}~~ *shall not* knowingly and willfully
18 ~~{has}~~ *have* in his or her possession for any purpose any film,
19 photograph or other visual presentation ~~{depicting}~~ *that:*

20 *(a) Depicts* a person under the age of 16 years as the subject of a
21 sexual portrayal or engaging in or simulating, or assisting others to
22 engage in or simulate, sexual conduct ~~{~~
23 ~~—1; or~~



1 *(b) Contains or incorporates, in any manner, an image of a*
2 *minor that has been altered through the use of artificial*
3 *intelligence to depict the minor as the subject of a sexual portrayal*
4 *or engaging in or simulating, or assisting others to engage in or*
5 *simulate, sexual conduct.*

6 **2. A person who violates the provisions of subsection 1:**

7 *(a)* For the first offense, is guilty of a category B felony and
8 shall be punished by imprisonment in the state prison for a
9 minimum term of not less than 1 year and a maximum term of not
10 more than 6 years, and may be further punished by a fine of not
11 more than \$5,000.

12 ~~2.~~ *(b)* For any subsequent offense, is guilty of a category A
13 felony and shall be punished by imprisonment in the state prison for
14 a minimum term of not less than 1 year and a maximum term of life
15 with the possibility of parole, and may be further punished by a fine
16 of not more than \$5,000.

17 **Sec. 3.** NRS 200.770 is hereby amended to read as follows:
18 200.770 "Intimate image":

19 1. Except as otherwise provided in subsection ~~2.~~ **3**, includes,
20 without limitation, a photograph, film, videotape or other recorded
21 image which depicts:

22 (a) The fully exposed nipple of the female breast of another
23 person, including through transparent clothing; or

24 (b) One or more persons engaged in sexual conduct.

25 2. *Includes a photorealistic image of another person that has*
26 *been altered through the use of artificial intelligence to depict the*
27 *other person engaging in, or simulating, or assisting others to*
28 *engage in or simulate, sexual conduct.*

29 3. Does not include an image which would otherwise constitute
30 an intimate image pursuant to subsection 1, but in which the person
31 depicted in the image:

32 (a) Is not clearly identifiable;

33 (b) Voluntarily exposed himself or herself in a public or
34 commercial setting; or

35 (c) Is a public figure.

36 **Sec. 4.** This act becomes effective on July 1, 2025.



