



## 2025 SENATE BILL 33

February 12, 2025 - Introduced by Senators JACQUE, TOMCZYK and HABUSH SINYKIN, cosponsored by Representatives B. JACOBSON, WICHGERS, ALLEN, ANDERSON, BEHNKE, BRILL, BROOKS, DITTRICH, GUNDRUM, KREIBICH, MAXEY, MOSES, MURPHY, MURSAU, SINICKI, SUBECK, TUSLER and UDELL. Referred to Committee on Judiciary and Public Safety.

1     **AN ACT to create** 942.09 (1) (e), 942.09 (2) (am) 4. and 942.09 (3m) (a) 3. of the  
2             statutes; **relating to:** representations depicting nudity and providing a  
3             penalty.

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### *Analysis by the Legislative Reference Bureau*

Under current law, it is generally a Class I felony to capture or distribute representations depicting nudity without the consent of the person depicted. This bill expands the prohibition to include what are known as “deep fakes.” The bill provides that it is a Class I felony to post, publish, distribute, or exhibit a synthetic intimate representation (commonly known as a “deep fake”) of an identifiable person with intent to coerce, harass, or intimidate that person. Under the bill, a synthetic intimate representation is defined as a representation generated using technological means that uses an identifiable person’s face, likeness, or other distinguishing characteristic to depict an intimate representation of that person, regardless of whether the representation includes components that are artificial, legally generated, or generally accessible.

Under current law, it is a Class A misdemeanor to publish or post a private representation, which is a sexually explicit representation that is intended by the person depicted in the representation to be possessed or viewed only by the persons with whom it was directly shared, without consent of the person depicted. This bill

