

Minority Report
Conference Committee to HB2133
sexual material; consent; synthetic depiction

April 16, 2026

We oppose House Bill 2133 (sexual material; consent; synthetic depiction) because the conference committee amendment fails to address fundamental problems in the underlying legislation.

HB2133, as amended, will lead to broad censorship of online content and via streaming services. The effects of HB2133 would result in Arizonans losing access to their preferred streaming services due to the inability of the entertainment industry to properly adhere to the requirements on this legislation.

We agree that no person should have their intimate photographs published online without their consent, and Arizona law already provides a pathway to charge individuals who circulate nonconsensual images. Our laws carry severe penalties for the distribution of revenge porn or Child Sexual Abuse Material.

But HB2133 takes a different approach, subjecting almost every commercial entity that publishes content online to new verification requirements that go against industry practices and rely on broad definitions that could capture a wide range of content that may or may not be explicit. These types of government controls are meant to push platforms into narrowing what they publish and distribute online to avoid penalties created by overbroad state laws. This government mandated regulatory framework will limit access to constitutionally protected speech, chilling the speech rights of these companies and creating an environment where access to this speech is limited.

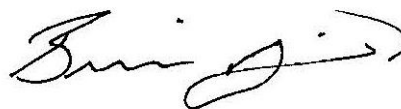
We are particularly concerned that the definitions in HB2133 lead to potential censoring of content related to the LGBTQIA+ community as members of this Legislature have categorized drag shows as a whole as harmful to children this very session. Private companies are already responding to political pressure by restricting LGBTQIA+ content. Social media platforms have been documented [automatically filtering](#) LGBTQIA+ hashtags under “sensitive content” settings, often without user awareness or consent. At the center of these efforts is a dangerous redefinition of what constitutes harmful content. As outlined in the policy framework known as [Project 2025](#), LGBTQIA+ representation itself is increasingly being labeled as inappropriate or even “pornographic.”

Additionally, the bill raises serious concerns regarding the First Amendment and parody. The various amendments to HB2133 have failed to adequately address the concerns raised by stakeholders relating to freedom of speech. We also need to recognize the potential negative effects that HB2133 may have on the new media and the ability to share real time coverage on important issues.

We oppose the conference committee amendment as the additional content exemptions rely on variables such as rating systems or run time, which do not capture the breadth of variety of content available on the internet. For these reasons, we oppose HB2133 as amended by the conference committee.



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Legislative District 24



Representative Brian Garcia
Legislative District 8