

Fiscal Note

BILL # HB 2678

TITLE: indistinguishable; visual depiction; definition.

SPONSOR: Willoughby

STATUS: House Engrossed

PREPARED BY: Geoffrey Paulsen

Description

The bill would expand certain statutory definitions and add a new definition for terms relating to offenses for sexual exploitation of children.

Estimated Impact

The bill could result in additional costs to the Courts and to the Department of Corrections (ADC) to the extent that these definitions result in additional prosecutions and convictions. We are unable to estimate those impacts in advance.

Analysis

A.R.S. Title 13, Chapter 35.1 outlines offenses for sexual exploitation of a minor and defines certain terms such as "minor" and "visual depiction" related to those offenses. The punishments for these crimes range from a class 1 misdemeanor to a class 2 felony.

The bill would expand the definition of a "minor" to include a visual depiction that is indistinguishable from an actual minor. The bill further defines "indistinguishable" as a visual depiction such that a person would reasonably conclude that the depiction is of an actual minor. Finally, the bill would expand the definition of "visual depiction" to include any image that is created or modified by computer software, artificial intelligence or other editing tools.

Local Government Impact

None

2/27/25

