

REFERENCE TITLE: indistinguishable; visual depiction; minor; definition

State of Arizona
House of Representatives
Fifty-seventh Legislature
First Regular Session
2025

HB 2712

Introduced by
Representative Blackman

AN ACT

AMENDING SECTION 13-3551, ARIZONA REVISED STATUTES; RELATING TO OBSCENITY.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Section 13-3551, Arizona Revised Statutes, is amended to
3 read:

4 13-3551. Definitions

5 In this chapter, unless the context otherwise requires:

6 1. "Advertising" or "advertisement" means any message in any medium
7 that offers or solicits any person to engage in sexual conduct in this
8 state.

9 2. "Communication service provider" has the same meaning prescribed
10 in section 13-3001.

11 3. "Computer" has the same meaning prescribed in section 13-2301,
12 subsection E.

13 4. "Computer system" has the same meaning prescribed in section
14 13-2301, subsection E.

15 5. "Exploitive exhibition" means the actual or simulated exhibition
16 of the genitals or pubic or rectal areas of any person for the purpose of
17 sexual stimulation of the viewer.

18 6. "INDISTINGUISHABLE" MEANS A VISUAL DEPICTION SUCH THAT A PERSON
19 VIEWING THE DEPICTION WOULD REASONABLY CONCLUDE THAT THE DEPICTION IS OF
20 AN ACTUAL MINOR.

21 ~~6-~~ 7. "Minor":

22 (a) Means a person or persons who were under eighteen years of age
23 at the time a visual depiction was created, adapted or modified.

24 (b) INCLUDES A VISUAL DEPICTION THAT IS INDISTINGUISHABLE FROM AN
25 ACTUAL MINOR.

26 ~~7-~~ 8. "Network" has the same meaning prescribed in section
27 13-2301, subsection E.

28 ~~8-~~ 9. "Producing" means financing, directing, manufacturing,
29 issuing, publishing or advertising for pecuniary gain.

30 ~~9-~~ 10. "Remote computing service" has the same meaning prescribed
31 in section 13-3001.

32 ~~10-~~ 11. "Sexual conduct" means actual or simulated:

33 (a) Sexual intercourse, including genital-genital, oral-genital,
34 anal-genital or oral-anal, whether between persons of the same or opposite
35 sex.

36 (b) Penetration of the vagina or rectum by any object except when
37 done as part of a recognized medical procedure.

38 (c) Sexual bestiality.

39 (d) Masturbation, for the purpose of sexual stimulation of the
40 viewer.

41 (e) Sadomasochistic abuse for the purpose of sexual stimulation of
42 the viewer.

43 (f) Defecation or urination for the purpose of sexual stimulation
44 of the viewer.

1 ~~11.~~ 12. "Simulated" means any depicting of the genitals or rectal
2 areas that gives the appearance of sexual conduct or incipient sexual
3 conduct.
4 ~~12.~~ 13. "Visual depiction" includes each visual image that is
5 contained in an undeveloped film, videotape or photograph or data stored
6 in any form, REGARDLESS OF WHETHER THE IMAGE IS CREATED OR MODIFIED BY
7 MEANS OF COMPUTER SOFTWARE, ARTIFICIAL INTELLIGENCE OR OTHER DIGITAL
8 EDITING TOOLS, and that is capable of conversion into a visual image.