

1 A bill to be entitled
 2 An act relating to generated child pornography;
 3 amending s. 827.072, F.S.; prohibiting the creation,
 4 download, or possession of a photograph or image of a
 5 person with the intention of using such photograph or
 6 image to create generated child pornography; providing
 7 criminal penalties; providing an effective date.

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 9 Be It Enacted by the Legislature of the State of Florida:

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 11 **Section 1. Subsection (2) of section 827.072, Florida**
 12 **Statutes, is amended to read:**

13 827.072 Generated child pornography.—

14 (2) (a) 1. It is unlawful for a person to knowingly possess
 15 or control or intentionally view a photograph, a motion picture,
 16 a representation, an image, a data file, a computer depiction,
 17 or any other presentation which, in whole or in part, he or she
 18 knows includes generated child pornography. The possession,
 19 control, or intentional viewing of each such photograph, motion
 20 picture, representation, image, data file, computer depiction,
 21 or other presentation is a separate offense. A person who
 22 violates this paragraph commits a felony of the third degree,
 23 punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

24 ~~2.(e)~~ This paragraph ~~(a)~~ does not apply to any material
 25 possessed, controlled, or intentionally viewed as part of a law

26 enforcement investigation.

27 (b) A person who:

28 1. Intentionally creates generated child pornography; or

29 2. Creates, downloads, or possesses a photograph or image
 30 of a person with the intention of using such photograph or image
 31 to create generated child pornography,

32
 33 commits a felony of the third degree, punishable as provided in
 34 s. 775.082, s. 775.083, or s. 775.084.

35 **Section 2.** This act shall take effect October 1, 2025.