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Chair Manning, Vice Chair Reynolds, and ranking member Hicks-Hudson, thank you for the opportunity to give sponsor testimony on SB 163. SB 163 is not a new bill, it was SB 217 in the 135th General Assembly. This legislation seeks to prevent potentially harmful uses of Artificial Intelligence technology, commonly known as AI. It also seeks to protect the safety and privacy of all Ohioans, especially our children, from misuse of this new technology.

Everyone on the committee is aware of the rapidly transforming landscape of what is possible with AI. While AI has the potential to bring about remarkable advances in our society, it also has the potential to inflict serious harm on Ohioans. As Ohioans learn more about the capabilities of AI, it is becoming increasingly apparent that the technology can be used to exploit Ohioans in innumerable ways. AI can identify someone's location, mimic their voice, and generate fabricated images. With all these abilities of AI, it can be used for notorious reasons, with the most disturbing ability being to generate child sexual abuse material (CSAM). Currently, CSAM represents a small portion of the AI-generated abusive content circulating online. With the accessibility of AI and open source software, the number of AI-generated abusive content has only gone up in past years. Current laws against child sexual abuse material (CSAM) require an actual real photo of a child to be able to prosecute someone. With AI not being a real photo, this leads to issues of prosecuting someone generating these photos. Senate Bill 163 will give attorneys the ability to prosecute these people.

Senate Bill 163 would require AI systems to include a distinctive watermark. This would ensure that a person is aware of when a product is AI-generated and what system it was created by. This legislation would criminalize making, transmitting, or possessing

"simulated obscene material," which includes depictions of a minor or impaired person that would be prohibited under Ohio's existing child pornography laws if the depicted person was real.

Lastly, this legislation would criminalize using a "replica of a person's persona" – i.e., a modified or fabricated version of an individual's voice, photograph, image, likeness, or distinctive appearance:

(1) To defraud another person
(2) induce another person to make a financial decision or extend credit,
(3) Damage a person or entity's reputation,
(4) To depict the person, without their consent, in a state of nudity, engaging in sexual activity, or in any obscene material
(5) Engage in child enticement, pandering obscenity involving a minor or impaired person, pandering sexually oriented material involving a minor or impaired person, or illegal use of a minor or impaired person in nudity-oriented material or performance.

The potential misuse of AI technology poses harm by threatening to exploit the safety and privacy of Ohioans and children. The severity of these threats, along with the speed of technological advances, make it essential for Ohio to implement AI regulations promptly.

Thank you for your consideration of SB 163. I am happy to answer any questions from the committee.