

**As Introduced**

**136th General Assembly**

**Regular Session**

**2025-2026**

**H. B. No. 786**

**Representatives Klopfenstein, Williams**

**Cosponsors: Representatives John, Bird, Stewart, Newman, Hall, T., Fischer,  
Fowler Arthur, Click**

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To amend sections 2907.321, 2907.322, and 2907.323  
of the Revised Code to prohibit use of an  
artificially generated depiction of a minor for  
obscene purposes.

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**BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF OHIO:**

**Section 1.** That sections 2907.321, 2907.322, and 2907.323  
of the Revised Code be amended to read as follows:

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**Sec. 2907.321.** (A) No person, with knowledge of the  
character of the material or performance involved, shall do any  
of the following:

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(1) Create, reproduce, or publish any obscene material  
that has a minor, an artificially generated depiction of a  
minor, or impaired person as one of its participants or  
portrayed observers;

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(2) Promote or advertise for sale or dissemination; sell,  
deliver, disseminate, display, exhibit, present, rent, or  
provide; or offer or agree to sell, deliver, disseminate,  
display, exhibit, present, rent, or provide, any obscene  
material that has a minor, an artificially generated depiction

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of a minor, or impaired person as one of its participants or 19  
portrayed observers; 20

(3) Create, direct, or produce an obscene performance that 21  
has a minor, an artificially generated depiction of a minor, or 22  
impaired person as one of its participants; 23

(4) Advertise or promote for presentation, present, or 24  
participate in presenting an obscene performance that has a 25  
minor, an artificially generated depiction of a minor, or 26  
impaired person as one of its participants; 27

(5) Buy, procure, possess, or control any obscene 28  
material, that has a minor, an artificially generated depiction 29  
of a minor, or impaired person as one of its participants; 30

(6) Bring or cause to be brought into this state any 31  
obscene material that has a minor, an artificially generated 32  
depiction of a minor, or impaired person as one of its 33  
participants or portrayed observers. 34

(B) (1) This section does not apply to any material or 35  
performance that is sold, disseminated, displayed, possessed, 36  
controlled, brought or caused to be brought into this state, or 37  
presented for a bona fide medical, scientific, educational, 38  
religious, governmental, judicial, or other proper purpose, by 39  
or to a physician, psychologist, sociologist, scientist, 40  
teacher, person pursuing bona fide studies or research, 41  
librarian, member of the clergy, prosecutor, judge, or other 42  
person having a proper interest in the material or performance. 43

(2) Mistake of age is not a defense to a charge under this 44  
section. 45

(3) In a prosecution under this section, the trier of fact 46  
may infer that a person in the material or performance involved 47

is a minor, an artificially generated depiction of a minor, or 48  
impaired person if the material or performance, through its 49  
title, text, visual representation, or otherwise, represents or 50  
depicts the person as a minor, an artificially generated 51  
depiction of a minor, or impaired person. 52

(C) Whoever violates this section is guilty of pandering 53  
obscenity involving a minor, an artificially generated depiction 54  
of a minor, or impaired person. If the offense involves a minor\_ 55  
or an artificially generated depiction of a minor, a violation 56  
of division (A) (1), (2), (3), (4), or (6) of this section is a 57  
felony of the second degree. If the offense involves an impaired 58  
person, a violation of division (A) (1), (2), (3), (4), or (6) of 59  
this section is a felony of the third degree. A violation of 60  
division (A) (5) of this section is a felony of the fourth 61  
degree. If the offender previously has been convicted of or 62  
pleaded guilty to a violation of this section or section 63  
2907.322 or 2907.323 of the Revised Code, pandering obscenity 64  
involving a minor, an artificially generated depiction of a 65  
minor, or impaired person in violation of division (A) (5) of 66  
this section is a felony of the third degree. 67

(D) As used in this section and sections 2907.322 and 68  
2907.323 of the Revised Code, ~~"impaired":~~ 69

(1) "Artificially generated depiction" means a visual 70  
depiction of an actual person that was created or edited by 71  
artificial intelligence or other computer-generated means and 72  
that a reasonable person would believe depicts or represents an 73  
actual person who is identifiable by the person's face, 74  
likeness, or other distinguishing characteristic. 75

(2) "Impaired person" means a person whose ability to 76  
resist or consent is substantially impaired because of a mental 77

or physical condition or because of advanced age, and the 78  
offender knows or has reasonable cause to believe that the other 79  
person's ability to resist or consent is substantially impaired 80  
because of a mental or physical condition or because of advanced 81  
age. 82

**Sec. 2907.322.** (A) No person, with knowledge of the 83  
character of the material or performance involved, shall do any 84  
of the following: 85

(1) Create, record, photograph, film, develop, reproduce, 86  
or publish any material that shows a minor, an artificially 87  
generated depiction of a minor, or impaired person participating 88  
or engaging in sexual activity, masturbation, or bestiality; 89

(2) Advertise for sale or dissemination, sell, distribute, 90  
transport, disseminate, exhibit, or display any material that 91  
shows a minor, an artificially generated depiction of a minor, 92  
or impaired person participating or engaging in sexual activity, 93  
masturbation, or bestiality; 94

(3) Create, direct, or produce a performance that shows a 95  
minor, an artificially generated depiction of a minor, or 96  
impaired person participating or engaging in sexual activity, 97  
masturbation, or bestiality; 98

(4) Advertise for presentation, present, or participate in 99  
presenting a performance that shows a minor, an artificially 100  
generated depiction of a minor, or impaired person participating 101  
or engaging in sexual activity, masturbation, or bestiality; 102

(5) Knowingly solicit, receive, purchase, exchange, 103  
possess, or control any material that shows a minor, an 104  
artificially generated depiction of a minor, or impaired person 105  
participating or engaging in sexual activity, masturbation, or 106

bestiality; 107

(6) Bring or cause to be brought into this state any 108  
material that shows a minor, an artificially generated depiction 109  
of a minor, or impaired person participating or engaging in 110  
sexual activity, masturbation, or bestiality; 111

(7) Bring, cause to be brought, or finance the bringing of 112  
any minor, an artificially generated depiction of a minor, or 113  
impaired person into or across this state with the intent that 114  
the minor or impaired person engage in sexual activity, 115  
masturbation, or bestiality in a performance or for the purpose 116  
of producing material containing a visual representation 117  
depicting the minor, an artificially generated depiction of a 118  
minor, or impaired person engaged in sexual activity, 119  
masturbation, or bestiality. 120

(B) (1) This section does not apply to any material or 121  
performance that is sold, disseminated, displayed, possessed, 122  
controlled, brought or caused to be brought into this state, or 123  
presented for a bona fide medical, scientific, educational, 124  
religious, governmental, judicial, or other proper purpose, by 125  
or to a physician, psychologist, sociologist, scientist, 126  
teacher, person pursuing bona fide studies or research, 127  
librarian, member of the clergy, prosecutor, judge, or other 128  
person having a proper interest in the material or performance. 129

(2) Mistake of age is not a defense to a charge under this 130  
section. 131

(3) In a prosecution under this section, the trier of fact 132  
may infer that a person in the material or performance involved 133  
is a minor, an artificially generated depiction of a minor, or 134  
impaired person if the material or performance, through its 135

title, text, visual representation, or otherwise, represents or 136  
depicts the person as a minor, an artificially generated 137  
depiction of a minor, or impaired person. 138

(C) Whoever violates this section is guilty of pandering 139  
sexually oriented matter involving a minor, an artificially 140  
generated depiction of a minor, or impaired person. If the 141  
offense involves a minor or an artificially generated depiction 142  
of a minor, a violation of division (A) (1), (2), (3), (4), (6), 143  
or (7) of this section is a felony of the second degree. If the 144  
offense involves an impaired person, a violation of division (A) 145  
(1), (2), (3), (4), (6), or (7) of this section is a felony of 146  
the third degree. Violation of division (A) (5) of this section 147  
is a felony of the fourth degree. If the offender previously has 148  
been convicted of or pleaded guilty to a violation of this 149  
section or section 2907.321 or 2907.323 of the Revised Code, 150  
pandering sexually oriented matter involving a minor, an 151  
artificially generated depiction of a minor, or impaired person 152  
in violation of division (A) (5) of this section is a felony of 153  
the third degree. 154

**Sec. 2907.323.** (A) No person shall do any of the 155  
following: 156

(1) Photograph any minor or impaired person who is not the 157  
person's child or ward in a state of nudity, or create, direct, 158  
produce, or transfer any material or performance that shows the 159  
minor, an artificially generated depiction of the minor, or 160  
impaired person in a state of nudity, unless both of the 161  
following apply: 162

(a) The material or performance is, or is to be, sold, 163  
disseminated, displayed, possessed, controlled, brought or 164  
caused to be brought into this state, or presented for a bona 165

fide artistic, medical, scientific, educational, religious, 166  
governmental, judicial, or other proper purpose, by or to a 167  
physician, psychologist, sociologist, scientist, teacher, person 168  
pursuing bona fide studies or research, librarian, member of the 169  
clergy, prosecutor, judge, or other person having a proper 170  
interest in the material or performance; 171

(b) The minor's or impaired person's parents, guardian, or 172  
custodian consents in writing to the photographing of the minor 173  
or impaired person, to the use of the minor, the artificially 174  
generated depiction of the minor, or impaired person in the 175  
material or performance, or to the transfer of the material and 176  
to the specific manner in which the material or performance is 177  
to be used. 178

(2) Consent to the photographing of the person's child or 179  
ward who is a minor or impaired person, or photograph the 180  
person's child or ward who is a minor or impaired person, in a 181  
state of nudity or consent to the use of the person's child or 182  
ward who is a minor, an artificially generated depiction of the 183  
minor, or impaired person in a state of nudity in any material 184  
or performance, or use or transfer a material or performance of 185  
that nature, unless the material or performance is sold, 186  
disseminated, displayed, possessed, controlled, brought or 187  
caused to be brought into this state, or presented for a bona 188  
fide artistic, medical, scientific, educational, religious, 189  
governmental, judicial, or other proper purpose, by or to a 190  
physician, psychologist, sociologist, scientist, teacher, person 191  
pursuing bona fide studies or research, librarian, member of the 192  
clergy, prosecutor, judge, or other person having a proper 193  
interest in the material or performance; 194

(3) Possess or view any material or performance that shows 195

a minor, an artificially generated depiction of a minor, or 196  
impaired person who is not the person's child or ward in a state 197  
of nudity, unless one of the following applies: 198

(a) The material or performance is sold, disseminated, 199  
displayed, possessed, controlled, brought or caused to be 200  
brought into this state, or presented for a bona fide artistic, 201  
medical, scientific, educational, religious, governmental, 202  
judicial, or other proper purpose, by or to a physician, 203  
psychologist, sociologist, scientist, teacher, person pursuing 204  
bona fide studies or research, librarian, member of the clergy, 205  
prosecutor, judge, or other person having a proper interest in 206  
the material or performance. 207

(b) The person knows that the minor's or impaired person's 208  
parents, guardian, or custodian has consented in writing to the 209  
photographing or use of the minor, an artificially generated 210  
depiction of the minor, or impaired person in a state of nudity 211  
and to the manner in which the material or performance is used 212  
or transferred. 213

(B) Whoever violates this section is guilty of illegal use 214  
of a minor, an artificially generated depiction of a minor, or 215  
impaired person in a nudity-oriented material or performance. If 216  
the offense involves a minor or an artificially generated 217  
depiction of a minor, whoever violates division (A) (1) or (2) of 218  
this section is guilty of a felony of the second degree. If the 219  
offense involves an impaired person, whoever violates division 220  
(A) (1) or (2) of this section is guilty of a felony of the third 221  
degree. Except as otherwise provided in this division, whoever 222  
violates division (A) (3) of this section is guilty of a felony 223  
of the fifth degree. If the offender previously has been 224  
convicted of or pleaded guilty to a violation of this section or 225

section 2907.321 or 2907.322 of the Revised Code, illegal use of 226  
a minor, an artificially generated depiction of a minor, or 227  
impaired person in a nudity-oriented material or performance in 228  
violation of division (A) (3) of this section is a felony of the 229  
fourth degree. If the offender who commits a violation of 230  
division (A) (1) or (2) of this section that involves a minor or 231  
an artificially generated depiction of a minor also is convicted 232  
of or pleads guilty to a specification as described in section 233  
2941.1422 of the Revised Code that was included in the 234  
indictment, count in the indictment, or information charging the 235  
offense, the court shall sentence the offender to a mandatory 236  
prison term as provided in division (B) (7) of section 2929.14 of 237  
the Revised Code and shall order the offender to make 238  
restitution as provided in division (B) (8) of section 2929.18 of 239  
the Revised Code. 240

**Section 2.** That existing sections 2907.321, 2907.322, and 241  
2907.323 of the Revised Code are hereby repealed. 242