

Judiciary Committee

JOINT FAVORABLE REPORT

Bill No.: SB-1440

AN ACT CONCERNING UNAUTHORIZED DISSEMINATION OF INTIMATE
IMAGES THAT ARE DIGITALLY ALTERED OR CREATED THROUGH THE USE
Title: OF ARTIFICIAL INTELLIGENCE.

Vote Date: 4/7/2025

Vote Action: Joint Favorable Substitute

PH Date: 3/10/2025

File No.:

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SPONSORS OF BILL:

Judiciary Committee

CO-SPONSORS:

Rep. William Pizzuto, 71st Dist.

Rep. Christie M. Carpino, 32nd Dist.

REASONS FOR BILL:

With the many recent technological advancements in artificial intelligence (AI), the creation of AI-generated pornographic materials has unfortunately become more prevalent in our society, which presents significant risks to the public. This bill aims to hold the creators of this explicit content accountable by criminalizing unauthorized dissemination of intimate images that are digitally altered or created through the use of AI.

SUBSTITUTE LANGUAGE:

The substitute language adds, as a new section, the crime of unlawful dissemination of an intimate synthetically created image. It also provides for different penalties based on whether the violator disseminated the image to one or more than one persons, as well as higher penalties for such dissemination in the case where the violator acquired, created, or had the image created with the intention of causing harm to another person.

RESPONSE FROM ADMINISTRATION/AGENCY:

John R. DelBarba, Assistant Legal Counsel, Office of Chief Public Defender (OCPD):

They testified in opposition of this bill. This bill goes far beyond the criminalization of dissemination of "any digitally altered image" that depicts the "likeness of a person". The ultimate result of this bill is criminalizing conduct that is not a crime and creating First Amendment challenges, vagueness challenges and uneven application the law in terms of who gets prosecuted and for what -especially children/juveniles, college students, and young adults. Their office is concerned that this bill will cause unintended consequences.

Patrick Griffin, Chief States Attorney, Division of Criminal Justice: They are troubled by the definition of "likeness of a person" as being an image that "closely resembles a living identifiable person." They believe that "closely resembles" is a term that could be challenged for vagueness as any generated image can resemble any number of people to some degree. They furthered that this bill has potential for free speech concerns and there is not a wide of body of precedent.

Natasha M. Pierre, Esq. State Victim Advocate, Office of the Victim Advocate: She testified in support of this bill. She stated that the dissemination of intimate images is a growing problem throughout the country. As technology advances, image-based abuse has now started to include dissemination of intimate images as they are digitally created or altered through use of artificial intelligence. The impact of images created by AI is no less devastating as victims of image-based abuse crimes suffer damaging effects such as being humiliated, fearful, personally violated and can also cause someone to become depressed, isolated, and anxious.

NATURE AND SOURCES OF SUPPORT:

Heather Somers, Senator, State of Connecticut: She testified in support of this bill. With the advancement of AI, a troubling application has emerged: the creation of non-consensual explicit content, commonly referred to AI-generated or deepfake pornography. This infringes on one's privacy, but also perpetuates the exploitation and victimization of women. AI-generated pornography causes many problems for its victims; they feel their consent and privacy are violated and has psychological and social ramifications.

House Republican Office: They testified in support of this bill. They stated that there is no place in our society for deepfake pornography created using artificial intelligence (AI). There are no laws in Connecticut that protect residents from this atrocious and very public violation. They explained that their caucus introduced this concept to address the gap in the law and to shield constituents from this awful harassment and intrusion. They furthered that the use of AI has profound implications for our society, many of which are positive; however, digitally altered images can be used in a much more sinister and disturbing way. This bill would protect citizens from this threat and hold individuals accountable if they misuse AI.

Mary Lee A Kiernan, President and CEO, Simone Quartey, Director of the Center for Equity and Justice, YWCA Greenwich: They testified in support of this bill. This bill is important to the YWCA Greenwich's mission statement to eliminate racism, empower women, and promote justice, freedom, and dignity for all. There have been many positive developments with technological innovations, however it has opened the doors to new forms

of abuse by way of exploitation, particularly in the realm of non-consensual pornography. The dissemination of digitally manipulated intimate images can have severe effects on victims. As a domestic violence agency, they know of the trauma and consequences digital abuse can have on victims and their families. This bill will give victims the recourse against the perpetrator but will also serve to deter another who might engage in this behavior.

Michelle Noehren: She testified in support of this bill. She stated that as AI advances, it has become easy to create realistic but entirely fabricated intimate images. Often women and minors are victims of the harassment and humiliation, which can cause lasting psychological, reputational, and professional harm. The current laws do not address this emerging threat and this bill would send a clear message that exploitation using technology will not be tolerated. This legislation will protect people from digital sexual abuse and hold those responsible accountable.

NATURE AND SOURCES OF OPPOSITION:

Theodore Koch, III, President, Connecticut Criminal Defense Lawyers Association (CCDLA): They testified in opposition to this bill, stating the problem with this bill is that it is vague and expands the area of human behavior that the state criminalizes. He stated that if you are young and immature, you might run afoul of this law and with powerful technology available, an array of indiscretions could be punished by serious time in prison. This area should be wisely regulated but to levy criminal penalties against those who may use it foolishly will not stop the damage this technology enables. By increasing the criminal liability, more people will be convicted of a crime, more people will be in jail, and it will increase the number of people burdened by felony convictions and jail time in our society.

Jess Zaccagnino, Policy Counsel, ACLU-CT: She testified in opposition to this bill. The ACLU does appreciate the attention to concerns regarding synthetic media, however this bill has significant constitutional concerns that should be carefully considered before enactment. The language in this bill is broad and vague, which risks imposing undue restrictions on constitutionally protected speech, particularly in political discourse.

Reported by: Bonnie Gray

Date: April 16, 2025