

**HB 1294:** Criminal Law - Child Sexual Abuse Material - Artificial Intelligence Software:  
Please vote to **OPPOSE** this bill.

Dear Judicial Proceedings Committee:

I am writing as a resident of Maryland to respectfully **oppose House Bill 1294** (Criminal Law – Child Sexual Abuse Material – Artificial Intelligence Software).

I fully support the bill’s intent: protecting children from the very real and growing threat of AI-generated child sexual abuse material. Updating Maryland law to explicitly cover computer-generated images created by artificial intelligence is a necessary and timely step in the digital age.

However, **the bill’s approach creates a serious unintended loophole.** By systematically replacing the longstanding term “child pornography” with the narrower phrase “child sexual abuse material” throughout the Criminal Law Article (and related sections in Courts & Judicial Proceedings, Criminal Procedure, and Education), the legislation **risks narrowing the scope of what is criminalized.**

**“Child pornography” has historically been interpreted broadly to cover any visual depiction of minors in sexually explicit conduct. Changing it to “child sexual abuse material” and tying the prohibition more tightly to depictions that qualify as “sexual abuse” could be read by courts or prosecutors as excluding material that is sexually explicit or pornographic but does not meet a stricter “abuse” threshold.** This will *potentially legalize* certain AI-generated (or real) ***child pornography that is not deemed “sexual abuse material”***, undermining the very protections the bill seeks to strengthen.

**Maryland should close the AI loophole without weakening existing language. A cleaner approach would be to keep the term “child pornography” where it already appears and simply add explicit language covering AI-generated and computer-generated images, or define “child pornography” to expressly include all sexually explicit depictions of minors (real or simulated) plus the new AI language.**

For these reasons, I urge you to **vote NO on HB 1294** in its current form, or to amend it before passage to avoid creating any new loopholes. **Our laws must unambiguously criminalize all forms of child sexual exploitation material—especially AI-generated content—without narrowing longstanding protections.**

Thank you for your time and for carefully considering my concerns regarding this important child-protection issue.

Sincerely,

Trudy Tibbals