

HOUSE BILL NO. 4938

September 11, 2025, Introduced by Reps. Schriver, Pavlov, Maddock, DeSana, Fox and Wortz
and referred to Committee on Judiciary.

A bill to prohibit the distribution of certain material on the internet that corrupts the public morals and prescribe penalties; to prescribe civil sanctions; to regulate commercial entities; to provide for the powers and duties of certain state and local governmental officers and entities; to create certain funds; and to provide for the distribution of money from certain funds.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 1. This act may be cited as the "anticorruption of public
2 morals act".

3 Sec. 2. As used in this act:

4 (a) "Circumvention tools" means any software, hardware, or

1 service designed to bypass internet filtering mechanisms or content
2 restrictions including virtual private networks, proxy servers, and
3 encrypted tunneling methods to evade content restrictions.

4 (b) "Commercial entity" means any business, institution,
5 government facility, nonprofit, or digital service, public or
6 private, that provides access to, hosts, sells, or otherwise
7 handles content intended for users or the general public.

8 (c) "Distribute" means to provide, share, transmit, publish,
9 circulate, exhibit, sell, or make available in any way online,
10 whether by device, via peer-to-peer, broadcast, or streaming
11 methods.

12 (d) "Internet service provider" means any entity that provides
13 consumers with internet access and that must enforce content
14 filtering under this act.

15 (e) "Pornographic material" includes any content, digital,
16 streamed, or otherwise distributed on the internet, the primary
17 purpose of which is to sexually arouse or gratify, including
18 videos, erotica, magazines, stories, manga, material generated by
19 artificial intelligence, live feeds, or sound clips.

20 (f) "Prohibited material" means:

21 (i) Except as provided in subparagraph (ii), material that at
22 common law was not protected by adoption of the First Amendment to
23 the Constitution of the United States respecting laws abridging
24 freedom of speech or of the press, and:

25 (A) Is a depiction, description, or simulation, whether real,
26 animated, digitally generated, written, or auditory, of sexual
27 acts, that includes any of the following:

28 (I) Vaginal or anal intercourse.

29 (II) Fellatio or cunnilingus.

1 (III) Masturbation.

2 (IV) Ejaculation or orgasm.

3 (V) Penetration with sexual devices.

4 (VI) Group sex.

5 (VII) Bondage, domination, or sadomasochism.

6 (VIII) Acts involving bodily fluids for sexual arousal.

7 (IX) Erotic autonomous sensory meridian response content,
8 moaning, or sensual voice content.

9 (X) Animated, virtual, or sexual activity generated by
10 artificial intelligence.

11 (XI) Depictions of characters acting or resembling minors in
12 sexual contexts.

13 (XII) Any other pornographic material.

14 (B) Is a depiction, description, or simulation, whether real,
15 animated, digitally generated, written, or auditory, that includes
16 a disconnection between biology and gender by an individual of 1
17 biological sex imitating, depicting, or representing himself or
18 herself to be of the other biological sex by means of a combination
19 of attire, cosmetology, or prosthetics, or as having a reproductive
20 nature contrary to the individual's biological sex.

21 (ii) Prohibited material does not include any of the following:

22 (A) Material to be used for scientific and medical research or
23 instruction.

24 (B) Peer-reviewed academic content.

25 Sec. 3. (1) A commercial entity, public institution, private
26 actor, or internet platform shall not knowingly distribute or make
27 available prohibited material via the internet to any individual in
28 this state. Except as provided in subsection (2), an individual or
29 entity that violates this subsection is guilty of a felony

1 punishable by imprisonment for not more than 20 years or a fine of
2 not more than \$100,000.00, or both.

3 (2) If a violation of subsection (1) involves more than 100
4 pieces of prohibited material, the individual or entity is guilty
5 of a felony punishable by imprisonment for not more than 25 years
6 or a fine of not more than \$125,000.00, or both.

7 (3) An internet service provider providing internet service in
8 this state shall implement mandatory filtering technology to
9 prevent residents of this state from accessing prohibited material.

10 An internet service provider providing internet service in this
11 state shall actively monitor and block known circumvention tools.

12 (4) In addition to the criminal penalties provided under
13 subsections (1) and (2), a commercial entity or internet service
14 provider that knowingly facilitates access to prohibited material
15 in violation of this section is subject to a civil fine of not more
16 than \$500,000.00 for each violation.

17 (5) The promotion or sale of circumvention tools to access
18 prohibited material is prohibited.

19 (6) An internet service provider providing internet service in
20 this state shall block access to specific websites that host
21 prohibited material on receipt of a valid court order.

22 Sec. 4. (1) An internet platform, website, or social media
23 service that is accessible by a user in this state shall update its
24 terms of service and content policies to explicitly prohibit any
25 hosting, promotion, indexing, linking to, or access of prohibited
26 material. A policy developed under this subsection may provide for
27 the implementation of filtering tools. An internet platform,
28 website, or social media service that is accessible by a user in
29 this state shall enforce such prohibitions uniformly across all

1 users.

2 (2) An internet platform, website, or social media service
3 that is accessible by a user in this state shall implement content
4 moderation tools, such as:

5 (a) Artificial intelligence driven filtering technology for
6 preemptive removal of prohibited material.

7 (b) Human review teams responsible for content evaluation and
8 enforcement.

9 (c) A public reporting mechanism with a 2-business-day
10 response time for law enforcement-flagged content.

11 (d) Automatic account suspension or permanent bans for repeat
12 offenders.

13 (3) An internet platform, website, or social media service
14 that is accessible by a user in this state shall provide an annual
15 transparency report to the department of state police that details
16 compliance measures and enforcement actions.

17 (4) An internet platform, website, or social media service
18 that is accessible by a user in this state shall implement
19 filtering and moderation systems, such as systems that are capable
20 of doing the following:

21 (a) Prevent access to prohibited material for all users.

22 (b) Use both automated and human moderation.

23 (c) Include real-time content scanning, keyword and metadata
24 analysis, image recognition, and immediate takedown mechanisms.

25 (d) Operate 24 hours a day, 7 days a week, without user
26 override.

27 (5) An internet platform, website, or social media service
28 that is accessible by a user in this state shall establish a
29 trusted flagger program through which law enforcement and

1 designated organizations have priority in reporting prohibited
2 material. An internet platform, website, or social media service
3 that is accessible by a user in this state shall respond to such
4 flagged content within 2 business days and begin removal or
5 disabling access procedures immediately. Law enforcement, certified
6 civil agencies, and public institutions may report prohibited
7 content with priority. As used in this subsection, "trusted flagger
8 program" means a program that must be administered by the
9 department of attorney general.

10 Sec. 5. (1) The department of attorney general shall establish
11 a special internet content enforcement division to audit,
12 investigate, and enforce compliance with this act.

13 (2) The special division shall do all of the following:

14 (a) Investigate and prosecute violations of this act.

15 (b) Conduct audits of internet service providers and internet
16 platforms, websites, and social media services to ensure compliance
17 with filtering and content-restriction requirements.

18 (c) Coordinate with federal and international law enforcement
19 to remove access to prohibited material on the internet by the
20 residents of this state.

21 (d) Manage a public reporting system through which residents
22 of this state can submit complaints regarding violations.

23 (e) Issue legally binding orders that require internet
24 platforms to remove noncompliant content within 2 business days of
25 notice.

26 (f) Conduct regular compliance training and issue guidelines
27 to internet service providers and internet platforms.

28 (g) Prepare an annual compliance and enforcement report. The
29 report required under this subdivision must be submitted to the

1 governor and legislature.

2 (3) An internet platform, internet service provider, website,
3 or institution must comply with a takedown order issued by the
4 attorney general or a designated enforcement division under
5 subsection (2)(e) within 2 business days of notice. As used in this
6 subsection, "business day" excludes weekends and official state or
7 national holidays.

8 (4) An internet platform, internet service provider, website,
9 or institution that fails to comply with subsection (3) is subject
10 to a civil fine of \$250,000.00 per day of delay.

11 (5) The special division created under subsection (1) must be
12 staffed with digital forensics analysts, legal experts,
13 cybersecurity specialists, and investigators.

14 (6) A fund is created in the state treasury to prevent the
15 distribution of prohibited material via the internet to residents
16 of this state.

17 (7) The state treasurer shall deposit money and other assets
18 received from civil fines collected under this act or from any
19 other source in the fund. The state treasurer shall direct the
20 investment of money in the fund and credit interest and earnings
21 from the investments to the fund.

22 (8) The department of attorney general is the administrator of
23 the fund for audits of the fund.

24 (9) The department of attorney general shall expend money from
25 the fund on appropriation, only for the costs of administration and
26 enforcement of this act and for any costs associated with the
27 administration of this act.

28 Enacting section 1. This act takes effect 90 days after the
29 date it is enacted into law.

1 Enacting section 2. This act does not take effect unless House
2 Bill No. ____ (request no. H03698'25) of the 103rd Legislature is
3 enacted into law.