

# 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.