STATE OF NEW YORK

11683

IN ASSEMBLY

September 2, 2026

Introduced by COMMITTEE ON RULES -- (at request of M. of A. Rosenthal) -- read once and referred to the Committee on Consumer Affairs and Protection

AN ACT to amend the general business law, in relation to audiovisual advertisements and synthetic performer disclosures; and to amend the election law, in relation to materially deceptive media disclosures in certain political communications

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. Paragraph (c) of subdivision 1 and subdivision 3 of section 396-b of the general business law, as added by chapter 617 of the laws of 2025, are amended to read as follows:

(c) "Synthetic performer" means a digitally created asset created, reproduced, or modified by computer, using generative artificial intelligence or a software algorithm, that is intended to create the impression that the asset is engaging in an audiovisual and/or visual performance of a human performer [~~who is not recognizable as any identifiable natural performer~~]. **This definition shall not include digital replicas where such use is authorized by the applicable right holder or the law.**

3. Any person engaged in the business of dealing in any property or service who for any commercial purpose produces or creates an advertisement respecting any such property or service, in any medium or media in which such advertisement appears, shall conspicuously disclose in such advertisement that a synthetic performer is in such advertisement, where such person has actual knowledge. **In the case of audiovisual advertisements, such disclosure shall be visible for the entire duration that a synthetic performer is featured in such advertisement.** A violation of this subdivision shall result in a civil penalty of one thousand dollars for a first violation, and five thousand dollars for any subsequent violation.

§ 2. Clause 1 of subparagraph (ii) of paragraph (b) of subdivision 5 of section 14-106 of the election law, as amended by chapter 169 of the laws of 2024, is amended to read as follows:

EXPLANATION--Matter in ***italics*** (underscored) is new; matter in brackets [-] is old law to be omitted.

LBD16172-03-6

(1) For visual media the disclosure shall be printed or typed in a legible font size easily readable by the average viewer that is no smaller than other text appearing in the visual media and in the same language used on the communication to read as follows: "This (image, video, or audio) has been manipulated". **In the case of video communications, such disclosure shall be visible for the entire duration that materially deceptive media is shown.**

§ 3. This act shall take effect on the thirtieth day after it shall have become a law.