

STATE OF NEW YORK

6540

2025-2026 Regular Sessions

IN ASSEMBLY

March 5, 2025

Introduced by M. of A. BORES -- read once and referred to the Committee on Science and Technology

AN ACT to amend the general business law, in relation to requiring generative artificial intelligence providers to include provenance data on synthetic content produced or modified by a generative artificial intelligence system that the generative artificial intelligence provider makes available; and providing for the repeal of certain provisions upon the expiration thereof

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

1 Section 1. This act shall be known and may be cited as the "stop deep-
2 fakes act".

3 § 2. The general business law is amended by adding a new article 45-A
4 to read as follows:

ARTICLE 45-A

STOP DEEPFAKES ACT

Section 1510. Definitions.

8 1511. Generative artificial intelligence.

9 1512. Content provenance preservation.

10 1513. Provenance data requirements.

11 1514. Rulemaking authority.

§ 1510. Definitions. For the purposes of this article:

13 1. "Provenance data" means data that records the origin or history of
14 digital content and is communicated as a content credential pursuant to
15 the Technical Specification for Content Credentials published by the
16 Coalition for Content Provenance and Authenticity, and which discloses:
17 (a) information about the origin or creation of the content; (b) any
18 subsequent editing or modification to the content or its metadata; and
19 (c) any use of generative artificial intelligence in generating or modi-
20 fying the content. "Provenance data" does not include personal informa-
21 tion as defined in subdivision five of section two hundred two of the

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

LBD07930-04-5

1 state technology law, or unique device, system, or service information
2 that is reasonably capable of being associated with a particular user,
3 including but not limited to an internet protocol address.

4 2. "Generative artificial intelligence system" means a class of AI
5 model that is self-supervised and emulates the structure and character-
6 istics of input data to generate derived synthetic content, including,
7 but not limited to, images, videos, audio, text, and other digital
8 content.

9 3. "Synthetic content" means audio, images or videos that have been
10 produced or significantly modified by a generative artificial intelli-
11 gence system.

12 4. "State agency" shall have the same meaning as defined in subdivi-
13 sion six of section two hundred two of the state technology law.

14 5. "Generative artificial intelligence provider" means an organization
15 or individual that creates, codes, substantially modifies, or otherwise
16 produces a generative artificial intelligence system that is made
17 publicly available for use by a New York resident, regardless of whether
18 the terms of such use include compensation.

19 6. "Generative artificial intelligence hosting platform" means an
20 online repository or other website that makes a generative artificial
21 intelligence system available for use by a New York resident, regardless
22 of whether the terms of such use include compensation. Generative arti-
23 ficial intelligence hosting platform does not include cloud computing
24 platforms or other services that make generative artificial intelligence
25 systems available for use by a New York state resident solely at the
26 direction of others.

27 7. "Social media platform" shall have the same meaning as in section
28 eleven hundred of this chapter.

29 8. "Covered operator" shall mean any person, business, or other legal
30 entity, that operates or provides a social media platform.

31 9. "Covered user" shall mean a user of a social media platform in the
32 state, not acting as an operator, or agent or affiliate of the operator
33 of such social media platform or any portion thereof.

34 10. "Artificial intelligence" or "artificial intelligence technology"
35 means a machine-based system that can, for a given set of human-defined
36 objectives, make predictions, recommendations, or decisions influencing
37 real or virtual environments, and that uses machine- and human-based
38 inputs to perceive real and virtual environments, abstract such percep-
39 tions into models through analysis in an automated manner, and use model
40 inference to formulate options for information or action.

41 11. "AI model" means an information system or a component of an infor-
42 mation system that implements artificial intelligence technology and
43 uses computational, statistical, or machine-learning techniques to
44 produce outputs from a given set of inputs.

45 § 1511. Generative artificial intelligence. 1. A generative artificial
46 intelligence provider shall apply provenance data, either directly or
47 through the use of third-party technology, to synthetic content produced
48 or modified by a generative artificial intelligence system that the
49 generative artificial intelligence provider makes available.

50 2. The application of provenance data to synthetic content, as
51 required by this section, shall, at a minimum, identify the digital
52 content as synthetic and communicate the following provenance data:

53 (a) that the content was created or edited using artificial intelli-
54 gence;

55 (b) the name of the generative artificial intelligence provider;

56 (c) the time and date the provenance data was applied;

1 (d) the specific portions of the content that are synthetic;
2 (e) the type of device, system, or service that was used to generate
3 the image, audio, or video, to the extent that the device, system, or
4 service has the technical capability to generate; and
5 (f) any other additional provenance data specified in regulations
6 promulgated pursuant to this article by the attorney general.

7 3. Generative artificial intelligence hosting platforms shall not make
8 available a generative artificial intelligence system where the hosting
9 platform knows that the generative artificial intelligence provider for
10 the generative artificial intelligence system does not apply provenance
11 data to content created or substantially modified by the artificial
12 intelligence system in a manner consistent with specifications set forth
13 above, nor shall a generative artificial intelligence hosting platform
14 deliberately prevent a generative artificial intelligence provider from
15 applying provenance data to content created or substantially modified by
16 a generative artificial intelligence system in a manner consistent with
17 the specifications set forth above.

18 4. The provisions of this section shall only apply to generative arti-
19 ficial intelligence systems that were created or modified after the
20 effective date of this article.

21 5. If a violation of this section is intentional or is the result of
22 grossly negligent conduct, a penalty shall be assessed by the attorney
23 general against the generative artificial intelligence hosting platform
24 or the generative artificial intelligence provider of up to one hundred
25 thousand dollars for each violation. If a violation of this article is
26 unintentional or is not the result of grossly negligent conduct, a
27 penalty shall be assessed by the attorney general against the generative
28 artificial intelligence hosting platform or the generative artificial
29 intelligence provider of up to fifty thousand dollars for each
30 violation.

31 § 1512. Content provenance preservation. 1. A social media platform
32 shall not delete, disassociate, or degrade, in whole or in part, prove-
33 nance data from or associated with content uploaded to the social media
34 platform by a covered user, unless and until the content is permanently
35 deleted or removed from the social media platform or the deletion,
36 disassociation, or degradation of such content is required by law.

37 2. If a violation of this section is intentional or is the result of
38 grossly negligent conduct, a penalty shall be assessed by the attorney
39 general against the covered operator of the social media platform of up
40 to one hundred thousand dollars for each violation. If a violation of
41 this section is unintentional or is not the result of grossly negligent
42 conduct, a penalty shall be assessed by the attorney general against the
43 covered operator of the social media platform of up to fifty thousand
44 dollars for each violation.

45 § 1513. Provenance data requirements. 1. A state agency shall ensure,
46 to the extent practicable either through direct application or through
47 the use of third-party technology, that all audio, images and videos
48 published or distributed electronically by the state agency carry prove-
49 nance data.

50 2. The application of provenance data to audio, images and videos, as
51 required by this article, shall, at a minimum, communicate the following
52 provenance data:

53 (a) The type of device, system, or service that was used to generate
54 the audio, image or video, to the extent the device, system, or service
55 has the technical capability to generate provenance data at the time the
56 audio, image or video was generated;

- 1 (b) The specific portions of the audio, image or video that are
2 synthetic content, if any;
- 3 (c) Whether the content was created or edited using artificial intel-
4 ligence;
- 5 (d) The name of the generative artificial intelligence provider used
6 to generate the synthetic content, if any;
- 7 (e) The time and date any of the provenance data delineated in this
8 section was applied; and
- 9 (f) Any other additional provenance data specified in regulations
10 promulgated pursuant to this article.

11 § 1514. Rulemaking authority. The attorney general may promulgate such
12 rules and regulations as are necessary to effectuate and enforce the
13 provisions of this article, including:

- 14 (a) Identifying acceptable methods and formats generative artificial
15 intelligence providers may or shall use to apply provenance data to
16 synthetic content produced or modified by a generative artificial intel-
17 ligence system pursuant to this article, and any exceptions thereto;
- 18 (b) Promulgating such rules and regulations as are necessary to effec-
19 tuate and enforce the provisions of section fifteen hundred twelve of
20 this article; and
- 21 (c) Identifying acceptable methods, formats, and third-party technolo-
22 gies for state agencies to use to apply provenance data to images and
23 videos published or distributed electronically pursuant to this article,
24 and any exceptions thereto.

25 § 3. This act shall take effect on the one hundred eightieth day after
26 it shall have become a law and subdivisions 1, 2, 3 and 4 of section
27 1511, subdivision 1 of section 1512, and section 1513 of the general
28 business law, as added by section two of this act, shall expire and be
29 deemed repealed December 31, 2030. Effective immediately, the addition,
30 amendment and/or repeal of any rule or regulation necessary for the
31 implementation of this act on its effective date are authorized to be
32 made and completed on or before such effective date.