

# STATE OF NEW YORK

8158

2023-2024 Regular Sessions

## IN ASSEMBLY

October 16, 2023

Introduced by M. of A. FAHY -- read once and referred to the Committee on Consumer Affairs and Protection

AN ACT to amend the general business law, in relation to requiring publications to identify when the use of artificial intelligence is present within such publication

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

1 Section 1. The general business law is amended by adding a new section  
2 338 to read as follows:

3 § 338. Generative artificial intelligence. 1. For purposes of this  
4 section, "generative artificial intelligence" shall mean the use of  
5 machine learning technology, software, automation, and algorithms to  
6 perform tasks or to make rules and/or predictions based on existing data  
7 sets and instructions, including, but not limited to:

8 (a) any artificial system that performs tasks under varying and unpre-  
9 dictable circumstances without significant human oversight, or that can  
10 learn from experience and improve performance when exposed to data sets;

11 (b) an artificial system developed in computer software, physical  
12 hardware, or other context that solves tasks requiring human-like  
13 perception, cognition, planning, learning, communication, or physical  
14 action;

15 (c) an artificial system designed to think or act like a human,  
16 including cognitive architectures and neural networks;

17 (d) a set of techniques, including machine learning, that is designed  
18 to approximate a cognitive task; or

19 (e) an artificial system designed to act rationally, including an  
20 intelligent software agent or embodied robot that achieves goals using  
21 perception, planning, reasoning, learning, communicating, decision  
22 making, and acting.

23 2. Every newspaper, magazine or other publication printed or electron-  
24 ically published in this state, which contains an article, periodical,

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

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1 photograph, video or other visual image which was wholly or partially  
2 composed or authored through the use of generative artificial intelli-  
3 gence or other information communication technology, shall conspicuously  
4 imprint on the top of the page or webpage of such publication that such  
5 article, periodical, photograph, video or other visual image was  
6 composed through the use of artificial intelligence or other information  
7 communication technology.

8 § 2. This act shall take effect on the sixtieth day after it shall  
9 have become a law.