STATE OF NEW YORK

8098

2023-2024 Regular Sessions

IN ASSEMBLY

September 29, 2023

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

AN ACT to amend the general business law, in relation to requiring online sellers of books created with the use of generative artificial intelligence to contain a disclosure of such use

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

Section 1. The general business law is amended by adding a new section 392-k to read as follows:

§ 392-k. Sale of books online; generative artificial intelligence disclosure. 1. A seller of any book that was wholly or partially created through the use of generative artificial intelligence, by means of an online delivery sale, to a buyer located in this state, shall conspicuously disclose to such buyer before the completion of such online delivery sale that such book was created with the use of generative artificial intelligence.

2. Books subject to the provisions of this section shall include, but not be limited to, all printed and digital books, regardless of such books' target age group or audience, consisting of text, pictures, audio, puzzles, games or any combination thereof.

3. For the purposes of this section, the following terms shall have the following meanings:

(a) "Generative artificial intelligence" shall mean the use of machine learning technology, software, automation, and algorithms to perform tasks, to make rules and/or predictions based on existing data sets and instructions, including, but not limited to:

(i) Any artificial system that performs tasks under varying and unpredictable circumstances without significant human oversight, or that can learn from experience and improve performance when exposed to data sets;

(ii) An artificial system developed in computer software, physical hardware, or other context that solves tasks requiring human-like

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

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perception, cognition, planning, learning, communication, or physical action;

(iii) An artificial system designed to think or act like a human, including cognitive architectures and neural networks;

(iv) A set of techniques, including machine learning, that is designed to approximate a cognitive task; and/or

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

(b) "Online delivery sale" means a transaction that results in the delivery of physical or digital goods purchased online from a seller to a buyer.

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