STATE OF NEW YORK

8451

2025-2026 Regular Sessions

IN SENATE

July 7, 2025

Introduced by Sen. FAHY -- read twice and ordered printed, and when printed to be committed to the Committee on Rules

AN ACT to amend the general business law and the civil rights law, in relation to enacting the "New York fundamental artificial intelligence requirements in (FAIR) news act"

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

Section 1. Short title. This act shall be known and may be cited as the "New York fundamental artificial intelligence requirements in (FAIR) news act".

§ 2. The general business law is amended by adding a new article 42-a to read as follows:

ARTICLE 42-A

ARTIFICIAL INTELLIGENCE IN NEWS MEDIA

Section 1150. Legislative intent.

1151. Definitions.

1152. Disclosure to news media workers.

1153. Disclosure to consumers.

1154. Oversight of artificial intelligence systems.

1155. Workplace protections.

§ 1150. Legislative intent. The legislature hereby finds that:

1. New York is the center of the American news industry and journalists are a key part of the state's workforce.

2. Artificial intelligence can quickly generate articles, summaries, news scripts, audio/visual and other media content that may seem professionally done to a lay observer. However, there is ample evidence that content created by generative artificial intelligence: (a) contains false or misleading content; and (b) plagiarizes by deriving its content from original source material without permission or proper citation. These failures are a disservice to the public who relies on the news for accurate information about the world.

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

LBD13419-01-5

3. As such, the government has a strong interest in the preservation of human news work. There is an urgent need to prevent news companies from using artificial intelligence at the expense of both the broader public and of news workers, including human reporters, editors, news writers, directors, producers, voice actors, graphic designers and other newsroom professionals.

4. It is therefore the intent of the legislature to establish clear, meaningful protections for both journalists and the broader public to ensure that the integrity of the news and its workforce are safeguarded.

§ 1151. Definitions. For the purposes of this article, the following terms shall have the following meanings:

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

2. "Automated employment decision-making tool" shall mean any software that uses algorithms, computational models, or artificial intelligence techniques, or a combination thereof, to materially automate or replace human decision-making regarding employment, including but not limited to wages and other compensation, hiring, selection for recruitment, discipline, promotion, and termination. "Automated employment decision-making tool" shall not include any software used primarily for basic computerized processes, such as calculators, spellcheck tools, autocorrect functions, spreadsheets, electronic communications, or any tool that relates only to internal management affairs such as ordering office supplies or processing payments, and that do not materially affect the rights, liberties, benefits, safety or welfare of any individual within the state.

3. "Generative artificial intelligence" means a class of artificial intelligence models that are self-supervised and emulate the structure and characteristics of input data to generate derived synthetic content, including, but not limited to, images, videos, audio, text, and other digital content.

4. "News media" shall mean any publication or programming, regardless of the medium or method of distribution, that provides news, weather, traffic, sports, or entertainment reports or programming. This includes but is not limited to newspapers, magazines, journals, periodicals, websites, newsletters, television or cable programming, radio or podcast programming, and internet or satellite-based content.

§ 1152. Disclosure to news media workers. News media employers shall fully disclose to workers when and how any generative artificial intelligence tool is used in the workplace as it relates to the creation of content, including, but not limited to, writing, recordings and transcripts. Such disclosure shall include a description of the artificial intelligence system and a summary of the purpose and use of such system.

§ 1153. Disclosure to consumers. Any news media content published, broadcast, or otherwise disseminated or accessible within the state of New York, which was substantially composed, authored, or otherwise created through the use of generative artificial intelligence shall conspicuously imprint on the top of the page, webpage, image, graphic, video or other visual or audio/visual content, or verbally orate at the onset of audio content, that such content was substantially created by

generative artificial intelligence. If the content is eligible for copyright registration such disclosure requirement shall not apply.

§ 1154. Oversight of artificial intelligence systems. Any news media content, including stories, articles, audio, visuals or images, which are created in whole or in material part by generative artificial intelligence shall be reviewed by a human worker who has the authority to approve, deny, or modify any decision recommended or made by the automated system before such content may be published with the disclosure under section eleven hundred fifty-three of this article.

§ 1155. Workplace protections. 1. News media employers shall not directly or through a third party authorize the training of a generative artificial intelligence system on the work product of a news media worker without notice, consent and an opportunity to bargain over appropriate remuneration. A news media employer shall not penalize a news media worker for declining to consent to allow their work product to be used to train a generative artificial intelligence system.

2. (a) The use of generative artificial intelligence or automated employment decision-making tools shall not diminish (i) the existing rights of employees pursuant to an existing collective bargaining agreement; or (ii) the existing representational relationships among employee organizations or the bargaining relationships between the employer and an employee organization.

(b) The use of generative artificial intelligence systems shall not result in: (i) discharge, displacement or loss of position, including partial displacement such as a reduction in the hours of non-overtime work, wages, or employment benefits, or result in the impairment of existing collective bargaining agreements; or (ii) transfer of existing duties and functions previously performed by employees or workers.

§ 3. Section 79-h of the civil rights law is amended by adding a new subdivision (h) to read as follows:

(h) Employers of professional journalists and newscasters shall establish safeguards to protect journalistic sources and confidential materials gathered through location tracking, surveillance or any other means, which can be accessed by any artificial intelligence technology, as defined by section eleven hundred fifty-one of the general business law.

§ 4. Severability clause. If any clause, sentence, paragraph, subdivision or section of this act shall be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision or section thereof directly involved in the controversy in which such judgment shall have been rendered. It is hereby declared to be the intent of the legislature that this act would have been enacted even if such invalid provisions had not been included herein.

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