

# STATE OF NEW YORK

6491

2025-2026 Regular Sessions

## IN ASSEMBLY

March 5, 2025

Introduced by M. of A. VANEL -- read once and referred to the Committee on Election Law

AN ACT to amend the election law, in relation to prohibiting the creation and dissemination of synthetic media within sixty days of an election with intent to unduly influence the outcome of an election

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

1 Section 1. The election law is amended by adding a new section 17-172  
2 to read as follows:

3 § 17-172. Creating synthetic media with intent to unduly influence the  
4 outcome of an election. 1. A person who, with intent to injure a candi-  
5 date or unduly influence the outcome of an election, creates or causes  
6 to be created a fabricated photographic, videographic, or audio record  
7 and causes such fabricated photographic, videographic, or audio record  
8 to be disseminated or published within sixty days of an election shall  
9 be guilty of a class E felony.

10 2. For purposes of this section:

11 (a) "Fabricated photographic, videographic, or audio record" or  
12 "synthetic media" shall mean a still image, video or audio recording  
13 that:

14 (i) exhibits a high level of authenticity or convincing appearance  
15 that is visually or audibly indistinguishable from reality;

16 (ii) is either manipulated or entirely artificial, including but not  
17 limited to, manipulation through means of advanced synthetic media tech-  
18 nologies that utilize artificial intelligence, such as deepfakes, gener-  
19 ative pre-trained transformers, and stable diffusion; and

20 (iii) depicts a scenario that did not actually occur or that has been  
21 altered in a significant way from how they actually occurred.

22 (b) "Disseminate" and "publish" shall have the same meanings as  
23 defined in section 250.40 of the penal law.

24 3. This section shall not apply to the following:

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

LBD10146-01-5

1 (a) dissemination or publication of synthetic media that was created  
2 for the purpose of political or social commentary, parody, or artistic  
3 expression that is not disseminated or published with the intent to  
4 misrepresent its authenticity;

5 (b) dissemination or publication of synthetic media that was created  
6 for the purpose of news reporting where the synthetic media is not  
7 disseminated or published with the intent to misrepresent its authentic-  
8 ity;

9 (c) dissemination or publication of synthetic media depicting a person  
10 or persons where the person who created the synthetic media received  
11 consent from all persons depicted;

12 (d) dissemination or publication of a fabricated record where the  
13 person reasonably believes that the dissemination or publication of the  
14 record is necessary to protect themselves from serious bodily injury or  
15 death; or

16 (e) initial dissemination or publication of synthetic media by the  
17 platform or service, provided that the synthetic media was not created  
18 by an individual who is directly affiliated with such platform or  
19 service.

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