STATE OF NEW YORK

6540--A

2025-2026 Regular Sessions

IN ASSEMBLY

March 5, 2025
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Introduced by M. of A. BORES -- read once and referred to the Committee
on Science and Technology -- committee discharged, bill amended,
ordered reprinted as amended and recommitted to said committee

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 artifi-
cial intelligence system that the generative artificial intelligence
provider makes available; and providing for the repeal of such
provisions upon the expiration thereof

   The People of the State of New York, represented in Senate and Assem-
bly, 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:
5   **ARTICLE 45-A**
6   **STOP DEEPFAKES ACT**
7 **Section 1510. Definitions.**
8   **1511. Generative artificial intelligence.**
9   **1512. Content provenance preservation.**
10   **1513. Provenance data requirements.**
11   **1514. Enforcement by attorney general.**
12   **§ 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-**

tion as defined in subdivision five of section two hundred two of the
state technology law, or unique device, system, or service information
that is reasonably capable of being associated with a particular user,
including but not limited to an internet protocol address.
  2. "Generative artificial intelligence system" means a class of AI
model that is self-supervised and emulates the structure and character-
istics of input data to generate derived synthetic content, including,
but not limited to, images, videos, audio, text, and other digital
content.
  3. "Synthetic content" means audio, images or videos that have been
produced or significantly modified by a generative artificial intelli-
gence system.
  4. "State agency" shall have the same meaning as defined in subdivi-
sion six of section two hundred two of the state technology law.
  5. "Generative artificial intelligence provider" means an organization
or individual that creates, codes, substantially modifies, or otherwise
produces a generative artificial intelligence system that is made
publicly available for use by a New York resident, regardless of whether
the terms of such use include compensation.
  6. "Generative artificial intelligence hosting platform" means an
online repository or other website that makes a generative artificial
intelligence system available for use by a New York resident, regardless
of whether the terms of such use include compensation. Generative arti-
ficial intelligence hosting platform does not include cloud computing
platforms or other services that make generative artificial intelligence
systems available for use by a New York state resident solely at the
direction of others.
  7. "Social media platform" shall have the same meaning as in section
eleven hundred of this chapter.
  8. "Covered operator" shall mean any person, business, or other legal
entity, that operates or provides a social media platform.
  9. "Covered user" shall mean a user of a social media platform in the
state, not acting as an operator, or agent or affiliate of the operator
of such social media platform or any portion thereof.
  10. "Artificial intelligence" or "artificial intelligence technology"
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 percep-
tions into models through analysis in an automated manner, and use model
inference to formulate options for information or action.
  11. "AI model" means an information system or a component of an infor-
mation system that implements artificial intelligence technology and
uses computational, statistical, or machine-learning techniques to
produce outputs from a given set of inputs.
  § 1511. Generative artificial intelligence. 1. A generative artificial
intelligence provider shall apply provenance data, either directly or
through the use of third-party technology, to synthetic content produced
or modified by a generative artificial intelligence system that the
generative artificial intelligence provider makes available.
  2. The application of provenance data to synthetic content, as
required by this section, shall, at a minimum, identify the digital
content as synthetic and communicate the following provenance data:
  (a) that the content was created or edited using artificial intelli-
gence;
  (b) the name of the generative artificial intelligence provider;

1 (c) the time and date the provenance data was applied;
2 (d) the specific portions of the content that are synthetic;
3 (e) the type of device, system, or service that was used to generate
4 the image, audio, or video, to the extent that the device, system, or
5 service has the technical capability to generate; and
6 (f) any other additional provenance data specified in regulations
7 promulgated pursuant to this article by the attorney general.
8 3. Generative artificial intelligence hosting platforms shall not make
9 available a generative artificial intelligence system where the hosting
10 platform knows that the generative artificial intelligence provider for
11 the generative artificial intelligence system does not apply provenance
12 data to content created or substantially modified by the artificial
13 intelligence system in a manner consistent with specifications set forth
14 above, nor shall a generative artificial intelligence hosting platform
15 deliberately prevent a generative artificial intelligence provider from
16 applying provenance data to content created or substantially modified by
17 a generative artificial intelligence system in a manner consistent with
18 the specifications set forth above.
19 4. The provisions of this section shall only apply to generative arti-
20 ficial intelligence systems that were created or modified after the
21 effective date of this article.
22 § 1512. Content provenance preservation. A social media platform shall
23 not delete, disassociate, or degrade, in whole or in part, provenance
24 data from or associated with content uploaded to the social media plat-
25 form by a covered user, unless and until the content is permanently
26 deleted or removed from the social media platform or the deletion,
27 disassociation, or degradation of such content is required by law.
28 § 1513. Provenance data requirements. 1. A state agency shall ensure,
29 to the extent practicable either through direct application or through
30 the use of third-party technology, that all audio, images and videos
31 published or distributed electronically by the state agency carry prove-
32 nance data.
33 2. The application of provenance data to audio, images and videos, as
34 required by this article, shall, at a minimum, communicate the following
35 provenance data:
36 (a) The type of device, system, or service that was used to generate
37 the audio, image or video, to the extent the device, system, or service
38 has the technical capability to generate provenance data at the time the
39 audio, image or video was generated;
40 (b) The specific portions of the audio, image or video that are
41 synthetic content, if any;
42 (c) Whether the content was created or edited using artificial intel-
43 ligence;
44 (d) The name of the generative artificial intelligence provider used
45 to generate the synthetic content, if any;
46 (e) The time and date any of the provenance data delineated in this
47 section was applied; and
48 (f) Any other additional provenance data specified in regulations
49 promulgated pursuant to this article.
50 § 1514. Enforcement by attorney general. In addition to the other
51 remedies provided, whenever there shall be a violation of this article,
52 application may be made by the attorney general in the name of the
53 people of the state of New York to a court or justice having jurisdic-
54 tion by a special proceeding to issue an injunction, and upon notice to
55 the defendant of not less than five days, to enjoin and restrain the
56 continuance of such violations; and if it shall appear to the satisfac-

1 **tion of the court or justice that the defendant has, in fact, violated**
2 **this article, an injunction may be issued by such court or justice,**
3 **enjoining and restraining any further violation, without requiring proof**
4 **that any person has, in fact, been injured or damaged thereby. In any**
5 **such proceeding, the court may make allowances to the attorney general**
6 **as provided in paragraph six of subdivision (a) of section eighty-three**
7 **hundred three of the civil practice law and rules. Whenever the court**
8 **shall determine that a violation of this article has occurred, the court**
9 **may impose a civil penalty of not more than twenty-five thousand dollars**
10 **for each violation.**
11   § 3. This act shall take effect on the one hundred eightieth day after
12 it shall have become a law and shall expire and be deemed repealed
13 December 31, 2030.   Effective immediately, the addition, amendment
14 and/or repeal of any rule or regulation necessary for the implementation
15 of this act on its effective date are authorized to be made and
16 completed on or before such effective date.