STATE OF NEW YORK

6540--D

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2025-2026 Regular Sessions

IN ASSEMBLY

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Introduced by M. of A. BORES, CUNNINGHAM, KELLES, FORREST, CHANDLER-WATERMAN, TORRES, OTIS -- read once and referred to the Committee on Science and Technology -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- reported and referred to the Committee on Codes -- reported and referred to the Committee on Rules -- Rules Committee discharged, bill amended, ordered reprinted as amended and recommitted to the Committee on Rules -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- ordered to a third reading, amended and ordered reprinted, retaining its place on the order of third reading

AN ACT to amend the general business law, in relation to requiring synthetic content creations system providers to include provenance data on synthetic content produced or modified by a synthetic content creations system that the synthetic content creations system provider makes available

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

Section 1. This act shall be known and may be cited as the "stop deepfakes act".

§ 2. The general business law is amended by adding a new article 45-B to read as follows:

ARTICLE 45-B

STOP DEEPFAKES ACT

Section 1540. Definitions.

1541. Synthetic content creations system.

1542. Content provenance preservation.

1543. Provenance data requirements.

1544. Enforcement by attorney general.

§ 1540. Definitions. For the purposes of this article:

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

LBD07930-14-6

1. "Provenance data" means data that records the origin or history of digital content and is communicated as a content credential pursuant to the Technical Specification for Content Credentials published by the Coalition for Content Provenance and Authenticity, or relevant standards, guidelines or specifications published after the effective date of this article by an established standards setting body, which at a minimum includes: (a) information about the origin or creation of the content; (b) subsequent editing or modification to the content or its metadata; and (c) use of a synthetic content creations system in generating or modifying the content. Such information shall be cryptographically bound to the underlying file and use signing credentials. "Provenance data" shall not include personal information 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, unless a user chooses to include such personal information in such data described in paragraph (a), (b), or (c) of this subdivision.

2. "Generative artificial intelligence system" 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.

3. "Synthetic content" means audio or visual content that has been generated or materially modified by a synthetic content creations system.

4. "State agency" shall have the same meaning as defined in subdivision six of section two hundred two of the state technology law.

5. "Synthetic content creations system provider" means an organization or individual that creates, codes, substantially modifies, or otherwise produces a synthetic content creations system that is made publicly available for use by a New York resident, regardless of whether the terms of such use include compensation.

6. "Synthetic content creations system hosting platform" means an online repository or other website that makes a synthetic content creations system available for use by a New York resident, regardless of whether the terms of such use include compensation. Synthetic content creations system hosting platform does not include cloud computing platforms or other services that make synthetic content creations 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 perceptions 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 information system that implements artificial intelligence technology and uses computational, statistical, or machine-learning techniques to produce outputs from a given set of inputs.

12. "Synthetic content creations system" means a class of generative artificial intelligence system capable of generating wholly synthetic content. "Synthetic content creations system" shall not include technologies such as red-eye filters or other technologies that are only capable of making changes to existing audio or visual content.

§ 1541. Synthetic content creations system. 1. A synthetic content creations system provider shall apply provenance data, either directly or through the use of third-party technology, to synthetic content produced or modified by a synthetic content creations system that the synthetic content creations system 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 intelligence;

(b) the name of the synthetic content creations system provider;

(c) the time and date the provenance data was applied;

(d) the specific portions of the content that the synthetic content creations system generated; and

(e) the type of device, system, or service that was used to generate the image, audio, or video.

3. Synthetic content creations system hosting platforms shall not make available a synthetic content creations system where the hosting platform knows that the synthetic content creations system provider for such system does not apply provenance data to content created or substantially modified by the artificial intelligence system in a manner consistent with specifications set forth in this section, nor shall a synthetic content creations system hosting platform deliberately prevent a synthetic content creations system provider from applying provenance data to content created or substantially modified by a synthetic content creations system in a manner consistent with the specifications set forth above.

4. The provisions of this section shall only apply to synthetic content creations systems that were created or modified after the effective date of this article.

§ 1542. Content provenance preservation. A social media platform shall not delete, disassociate, or degrade, in whole or in part, provenance data from or associated with content uploaded to the social media platform by a covered user, unless and until the content is permanently deleted or removed from the social media platform or the deletion, disassociation, or degradation of such content is required by law. Nothing in this article shall be construed as banning users from choosing to include personal information in provenance data from or associated with such uploaded content.

§ 1543. Provenance data requirements. 1. A state agency shall ensure, to the extent practicable either through direct application or through the use of third-party technology, that all audio, images and videos published or distributed electronically by the state agency carry provenance data.

2. The application of provenance data to audio, images and videos, as required by this article, shall, at a minimum, communicate the following provenance data:

(a) The type of device, system, or service that was used to generate the audio, image or video, to the extent the device, system, or service has the technical capability to do so;

(b) The specific portions of the content that the synthetic content creations system used by the state agency generated, if any;

(c) Whether the content was created or edited using artificial intelligence;

(d) The name of the synthetic content creations system provider used to generate the synthetic content, if any; and

(e) The time and date any of the provenance data delineated in this section was applied.

§ 1544. Enforcement by attorney general. In addition to the other remedies provided, whenever there shall be a violation of this article, application may be made by the attorney general in the name of the people of the state of New York to a court or justice having jurisdiction by a special proceeding to issue an injunction, and upon notice to the defendant of not less than five days, to enjoin and restrain the continuance of such violations; and if it shall appear to the satisfaction of the court or justice that the defendant has, in fact, violated this article, an injunction may be issued by such court or justice, enjoining and restraining any further violation, without requiring proof that any person has, in fact, been injured or damaged thereby. In any such proceeding, the court may make allowances to the attorney general as provided in paragraph six of subdivision (a) of section eighty-three hundred three of the civil practice law and rules. Whenever the court shall determine that a violation of this article has occurred, the court may impose a civil penalty of not more than twenty-five thousand dollars for each violation.

§ 3. This act shall take effect on the one hundred eightieth day after it shall have become a law.