



## 103RD GENERAL ASSEMBLY

### State of Illinois

2023 and 2024

HB4869

Introduced 2/7/2024, by Rep. Hoan Huynh

#### SYNOPSIS AS INTRODUCED:

815 ILCS 505/2EEEE new

Amends the Consumer Fraud and Deceptive Business Practices Act. Provides that any person who, for any commercial purpose, makes, publishes, disseminates, airs, circulates, or places an advertisement for goods or services before the public or causes, directly or indirectly, an advertisement for goods or services to be made, published, disseminated, aired, circulated, or placed before the public, that the person knows or should have known contains synthetic media, shall disclose in the advertisement that the advertisement contains synthetic media. Provides that if synthetic media has been used in any advertisement for goods or services that is published, aired, circulated, disseminated, or otherwise placed before the public and that depicts a person engaged in any action or expression that the person did not actually engage, the advertisement shall include a disclaimer that clearly and conspicuously states the likeness featured in the advertisement is synthetic, does not depict an actual person, and is generated to create a human likeness. Provides that a violation of the provisions constitutes an unlawful practice within the meaning of the Act.

LRB103 39208 SPS 69356 b

1 AN ACT concerning business.

2 **Be it enacted by the People of the State of Illinois,**  
3 **represented in the General Assembly:**

4 Section 5. The Consumer Fraud and Deceptive Business  
5 Practices Act is amended by adding Section 2EEEE as follows:

6 (815 ILCS 505/2EEEE new)

7 Sec. 2EEEE. Disclosure of synthetic media in advertising.

8 (a) As used in this Act:

9 "Generative artificial intelligence" means the use of  
10 machine learning technology, software, automation, and  
11 algorithms to perform tasks and to make rules and predictions  
12 based on existing data sets and instructions. "Generative  
13 artificial intelligence" includes, but is not limited to:

14 (1) any artificial system that performs tasks under  
15 varying and unpredictable circumstances without  
16 significant human oversight or that can learn from  
17 experience and improve performance when exposed to data  
18 sets;

19 (2) an artificial system developed in computer  
20 software, physical hardware, or other context that solves  
21 tasks requiring human-like perception, cognition,  
22 planning, learning, communication, or physical action;

23 (3) an artificial system designed to think or act like

1 a human, including cognitive architectures and neural  
2 networks;

3 (4) a set of techniques, including machine learning,  
4 that is designed to approximate a cognitive task; or

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

9 "Synthetic media" means any human voice, photograph,  
10 image, video, or other human likeness created, reproduced, or  
11 modified by a computer using generative artificial  
12 intelligence or a software algorithm to produce or reproduce a  
13 human voice.

14 (b) Any person who, for any commercial purpose, makes,  
15 publishes, disseminates, airs, circulates, or places an  
16 advertisement for goods or services before the public or  
17 causes, directly or indirectly, an advertisement for goods or  
18 services to be made, published, disseminated, aired,  
19 circulated, or placed before the public, that the person knows  
20 or should have known contains synthetic media, shall disclose  
21 in the advertisement that the advertisement contains synthetic  
22 media.

23 (c) If synthetic media has been used in any advertisement  
24 for goods or services that is published, aired, circulated,  
25 disseminated, or otherwise placed before the public and that  
26 depicts a person engaged in any action or expression that the

1 person did not actually engage, the advertisement shall  
2 include a disclaimer that clearly and conspicuously states the  
3 likeness featured in the advertisement is synthetic, does not  
4 depict an actual person, and is generated to create a human  
5 likeness.

6 (d) A violation of this Section constitutes an unlawful  
7 practice within the meaning of this Act.