

HB 1049 • Colorado

Prohibit Use of Personally Identifying Feature

In Committee

Risk: High

Comprehensive

Last Action (Feb 12, 2026): House Committee on State, Civic, Military, & Veterans Affairs Postpone Indefinitely

Summary

This bill criminalizes the unauthorized use of personally identifying features in digital media, including advertisements, deepfakes, images, videos, and voice recordings, establishing penalties for violations and allowing civil damages and attorney fees.

Business Impact

If you use digital media featuring individuals' identifying features in Colorado, you must obtain consent or face felony charges.

Key Provisions

- Criminalizes unauthorized use of personally identifying features in digital media, including advertisements and deepfakes.
- Classifies unlawful use as a class 5 felony; escalates to class 4 felony if intent to harm is present.
- Allows individuals harmed by violations to pursue civil damages and reasonable attorney fees.
- Applies to all forms of digital depictions including advertisements and deepfakes.
- Requires consent from individuals before using their personally identifying features.

Compliance Checklist

- Obtain consent from individuals before using their personally identifying features in digital media. | Who: Businesses and individuals using digital media. | Penalty: Class 5 felony for unlawful use; class 4 felony if intent to harm.
- Establish procedures for individuals to report unauthorized use of their identifying features. | Who: Businesses utilizing AI technologies. | Penalty: Potential civil liability for damages.

Industries Affected

Law Enforcement

Technology

Topics

AI Deepfakes

Facial Recognition

Bill Sponsors

Name	Party	Role
S. Bottoms		Sponsor
M. Baisley		Sponsor

Official Source

<https://openstates.org/co/bills/2026A/HB1049/>

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