

# HB353 • Delaware

## An Act To Amend Titles 10 And 11 Of The Delaware Code Relating To Deep Fakes.

Passed Both Chambers

Risk: High

Comprehensive

Effective: Oct 09, 2024 | Last Action (Oct 09, 2024): Signed by Governor

### Summary

This Act provides civil and criminal remedies for wrongful disclosure of deep fakes depicting individuals in sexual contexts, with increased penalties for adults creating depictions of minors.

### Business Impact

If you create or distribute deep fakes in Delaware, you must ensure compliance with this law by 10/9/24 or face civil and criminal penalties.

### Key Provisions

- Establishes civil and criminal remedies for wrongful disclosure of deep fakes.
- Aligns remedies with the Delaware Uniform Civil Remedies for Unauthorized Disclosure of Intimate Images Act and Violation of Privacy offense under §1335 of Title 11.
- Increases penalties for adults creating deep fakes of minors from misdemeanors to felonies.

### Compliance Checklist

- Ensure compliance with the new regulations on deep fakes. | Who: Businesses and individuals creating or distributing digital content. | Penalty: Civil and criminal penalties for non-compliance.

### Industries Affected

Content Creation

Consumer Protection

Digital Media

Law Enforcement

Technology

# Topics

AI Deepfakes

AI Transparency

## Bill Sponsors

Name	Party	Role
John L. Mitchell		Primary
Margaret Rose Henry		Primary
Edward S. Osienski		Primary
John "Jack" Walsh		Primary
Krista Griffith	Democratic	Primary
William Bush		Primary
Sherry Dorsey Walker		Primary
Sean Matthews		Primary
Spiros Mantzavinos	Democratic	Primary
Russell Huxtable		Primary
Kendra Johnson	Democratic	Primary
Valerie Longhurst		Primary

## Roll Call Votes

Date	Description	Yea	Nay	Result
2024-06-27	2/3	21	0	Passed
2024-05-07	2/3	35	0	Passed

## Official Source

<https://legis.delaware.gov/BillDetail?LegislationId=141103>

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