

# S08721 • New York

Creates penalties for likenesses altered or created by artificial intelligence being used for commercial gain; establishes a private right of action for the unlawful dissemination of still or video images generated by artificial intelligence.

Introduced

Risk: High

Comprehensive

Effective: Apr 07, 2026 | Last Action (Jan 07, 2026): REFERRED TO CODES

## Summary

NY S08721: Establishes penalties for AI-altered likenesses used for commercial gain and a private right of action for dissemination of AI-generated images.

## Business Impact

If you use AI to create or alter likenesses for commercial purposes, you must obtain consent from depicted individuals or face legal penalties.

## Key Provisions

- Establishes penalties for unauthorized use.
- Allows individuals to take legal action for dissemination of AI-generated images.
- Verification needed for 'commercial gain' definition and exceptions like fair use.

## Compliance Checklist

- Obtain consent from depicted individuals before using their likenesses. | Who: Businesses using AI for commercial purposes. | Penalty: Liable for damages and profits from unauthorized use.
- Register claims of rights if you are a successor in interest. | Who: Individuals claiming rights to a depicted individual's likeness. | Penalty: No cause of action for unauthorized use before registration.

## Industries Affected

## Topics

AI Likeness

## Bill Sponsors

Name	Party	Role
COMRIE		Primary
HELMING		Primary
CLEARE		Primary
Timothy M. Kennedy		Primary
Alexis Weik	Republican/Conservative	Primary
Steve Rhoads	Republican/Conservative	Cosponsor

## Official Source

<https://www.nysenate.gov/legislation/bills/2025/S8721>

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