

# A06862 • New York

Includes "deep fake" images created by digitization within the definition of unlawful dissemination or publication of an intimate image; establishes a private right of action for victims of dissemination or publication of a sexually explicit depiction of an individual.

Introduced

Risk: High

Comprehensive

Effective: Jun 12, 2021 | Last Action (Jan 05, 2022): referred to codes

## Summary

This bill criminalizes the dissemination of 'deep fake' intimate images and allows victims to sue for damages, amending both the penal law and the civil rights law.

## Business Impact

If you create or share digital content in New York, you must ensure consent for any intimate images or face legal action.

## Key Provisions

- Includes 'deep fake' images in the definition of unlawful dissemination of intimate images.
- Establishes a private right of action for victims of unlawful dissemination.
- Defines 'digitization' to encompass various forms of image creation.
- Prohibits dissemination of images without consent, with intent to cause harm.
- Allows for legal action against individuals who threaten to disclose non-consensual images.

## Compliance Checklist

- Ensure consent for all intimate images before dissemination. | Who: Content creators and distributors. | Penalty: Legal action and potential damages.
- Review and update content policies to include provisions for 'deep fakes.' | Who: Businesses and organizations involved in digital content. | Penalty: Legal action and potential damages.

## Industries Affected

## Topics

AI Deepfakes

AI Intimate Images

## Bill Sponsors

Name	Party	Role
FAHY		Primary
MCDONALD		Cosponsor
ORTIZ		Primary
PAULIN		Primary
DINOWITZ		Cosponsor
SEAWRIGHT		Cosponsor
DICKENS		Cosponsor
FRONTUS		Cosponsor
GALEF		Cosponsor
GUNTHER		Cosponsor
JACKSON		Cosponsor
SIMON		Cosponsor

## Related Bills

- S06304 (NY)
- A03596 (NY)
- S01042 (NY)

## Official Source

<https://www.nysenate.gov/legislation/bills/2021/A6862>

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