HOUSE BILL 276

DIGITAL VOYEURISM PREVENTION ACT AND DIGITAL CONTENT PROVENANCE

Office of Artificial Intelligence Policy
UTAH DEPARTMENT OF COMMERCE

SPONSORED BY REPRESENTATIVE ARIEL DEFAY, DISTRICT 15

HB 276, the Digital Voyeurism Prevention Act and Digital Content Provenance, addresses the rising threat of deepfakes and the erosion of digital authenticity. The Act provides civil and legal recourse for victims of non-consensual AI-generated intimate imagery and mandates a technical framework for Digital Content Provenance to identify whether digital media was human-captured or AI-generated.

POLICY

HB 276 establishes clear standards for digital trust and the protection of personal privacy.

Requirement	Purpose and Function
Deepfake Liability	Prohibits AI systems from creating counterfeit intimate images of identifiable individuals without the individual's express consent.
Removal Protocols	Requires large platforms to remove reported non-consensual counterfeit images consistent with the Federal "Take It Down Act."
Remedy	Provides a right of action to an individual whose counterfeit image was distributed or if a platform fails to remove the reported image.
Content Provenance	Mandates cameras, recording devices, and generative AI systems to embed metadata to distinguish between human-captured and synthetic media.
State Government Websites	Requires digital content on state government websites to contain provenance information if there is a risk that fraudulent or misleading media could cause harm to a Utah resident engaging with the website.

NEW DEFINITIONS ADDED

- **Counterfeit Intimate Images:** Deepfakes or AI-generated media depicting an identifiable individual in an intimate context without their consent.
- **Provenance Data**: A digital trail or "fingerprint" embedded at the hardware or software level to verify the origin and authenticity of digital content.
- **Non-Consensual Distribution:** The unauthorized sharing of counterfeit images, now classified as a formal violation of privacy with civil damages up to $100,000.