

**First Regular Session  
Seventy-Seventh General Assembly  
STATE OF SAN ANDREAS**

**ENGROSSED**

LLS NO. 26-0721.02 Alexis Holmes x2352

**HOUSE BILL 26-016**

---

**SENATE SPONSORSHIP**

**Harrison, Murillo**

**HOUSE SPONSORSHIP**

**Suarez, Arnold, Cole, Gomez, Haynes, Hurst, Mendoza, Price, Rocha, Ross, Schneider**

---

**House Committees**

Technology, Digital Innovation & Cybersecurity

**Senate Committees**

Not assigned

---

**A BILL FOR AN ACT**

**CONCERNING CIVIL LIABILITY FOR A.I. GENERATED CONTENT**

---

**Bill Summary**

*(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <https://saleg.uscgov.com>)*

This bill clarifies that individuals who create, generate, or distribute content using artificial intelligence systems remain legally responsible for the resulting content and any civil harm caused by its use. The bill establishes that the use of artificial intelligence does not reduce or eliminate civil liability where conduct would otherwise constitute defamation, invasion of privacy, misappropriation of likeness, or intentional infliction of emotional distress under existing law.

**Shading denotes HOUSE amendment. Underlining denotes SENATE amendment.**

**Capital letters or bold & italic numbers indicate new material to be added to existing law.**

**Dashes through the words or numbers indicate deletions from existing law.**

The legislation responds to the increasing use of artificial intelligence tools capable of generating realistic images, audio, and written content that may falsely depict identifiable individuals. The bill specifies that users who knowingly or recklessly create or distribute AI-generated content that causes harm may be held civilly liable to the same extent as if they had created the content without the use of artificial intelligence.

The bill also authorizes courts to issue injunctive relief, including removal or cessation of distribution of harmful AI-generated content. Technology providers that merely supply artificial intelligence tools are not held liable solely for providing access, absent knowing participation in unlawful conduct.

The purpose of the Act is to clarify responsibility for the misuse of artificial intelligence while preserving lawful expression, research, and legitimate uses of AI technology.

---

1 ***Be it enacted by the General Assembly of the State of San***  
2 ***Andreas:***  
3 **SECTION 1. SHORT TITLE.** This act shall be known and cited  
4 as the “Artificial Intelligence Civil Responsibility Act.”  
5 **SECTION 2. LEGISLATIVE FINDINGS AND INTENT.** (a) The  
6 General Assembly finds that artificial intelligence technologies  
7 are increasingly capable of generating realistic images, audio,  
8 video, and written content that may falsely depict individuals or  
9 events. (b) The misuse of artificial intelligence to create or  
10 distribute fabricated content may cause reputational harm,  
11 emotional distress, invasion of privacy, and other civil injuries. (c)  
12 Existing civil causes of action may not clearly address  
13 responsibility where harm results from the intentional or reckless  
14 use of artificial intelligence tools. (d) It is the intent of the General  
15 Assembly to clarify that individuals remain legally responsible for  
16 the content they create, generate, or distribute using artificial  
17 intelligence systems, and that such use does not diminish civil  
18 liability for unlawful conduct. (e) Nothing in this Act shall restrict  
19 lawful speech, journalism, commentary, parody, satire clearly

1 identifiable as such, academic research, security testing, or  
2 educational uses of artificial intelligence systems. **SECTION 3.**  
3 **DEFINITIONS.** For purposes of this Act, unless the context  
4 otherwise requires: (a) “Artificial intelligence system” means any  
5 computational system capable of generating text, images, audio,  
6 video, or other content through automated or machine-learning  
7 processes. (b) “AI-generated content” means any content created  
8 in whole or in substantial part through the use of an artificial  
9 intelligence system. (c) “User” means any person who creates,  
10 directs, generates, modifies, or distributes AI-generated content.  
11 (d) “Likeness” includes a person’s name, image, voice,  
12 appearance, or other identifiable characteristics. **SECTION 4.**  
13 **CIVIL LIABILITY FOR AI-GENERATED CONTENT. (a)**  
14 **General Rule of Liability.** A user who knowingly or recklessly  
15 creates, publishes, or distributes AI-generated content that causes  
16 legally cognizable harm shall be civilly liable to the same extent  
17 as if the user had personally created or disseminated the content  
18 without the use of an artificial intelligence system. (b) **Artificial**  
19 **Intelligence Not a Defense.** The use of an artificial intelligence  
20 system shall not constitute a defense to civil liability where the  
21 underlying conduct would otherwise give rise to a cause of action  
22 under state law. (c) **Conduct Giving Rise to Liability.** Liability  
23 under this section may arise where AI-generated content is  
24 knowingly or recklessly created or distributed and: (I) **Depicts an**  
25 **identifiable person in a false or misleading manner causing**  
26 **reputational harm; (II) Uses the likeness of an identifiable**  
27 **individual without consent in a sexually explicit or otherwise**  
28 **highly offensive manner; (III) Constitutes defamation, false light**  
29 **invasion of privacy, misappropriation of likeness, or intentional**  
30 **infliction of emotional distress under existing law; (IV) Is**  
31 **generated or distributed with intent to harass, intimidate, or cause**  
32 **substantial emotional harm; or (V) Knowingly generates or**  
33 **distributes synthetic media falsely depicting an identifiable**

1 individual engaging in speech or conduct that the individual did  
2 not perform, where such depiction would reasonably cause  
3 reputational, financial, or emotional harm. (d) Evidentiary  
4 Considerations. Proof that content was generated or materially  
5 altered through artificial intelligence may be considered by the  
6 court in determining intent, recklessness, causation, or damages.  
7 (e) Unknowing or Incidental Use. No liability shall arise under  
8 this Act solely from incidental or unknowing use of an artificial  
9 intelligence system where the user lacked knowledge that the  
10 content was false, misleading, or unlawfully generated. (f)  
11 Disclosure Safe Harbor. A user who clearly and conspicuously  
12 discloses that content is artificially generated or materially altered  
13 shall not be liable under this Act absent proof of intent to deceive  
14 or cause harm. (g) Determination of Damages. In determining  
15 damages under this section, a court may consider: (I) The scale  
16 and duration of distribution; (II) The degree of automation  
17 involved in creation or dissemination; (III) The intent or  
18 recklessness of the user; and (IV) The foreseeability and severity  
19 of harm resulting from dissemination of the AI-generated content.  
20 **SECTION 5. INJUNCTIVE RELIEF.** (a) A court may order the  
21 removal, correction, or cessation of distribution of AI-generated  
22 content found to violate this Act. (b) Courts may grant injunctive  
23 relief where continued distribution would result in ongoing harm.  
24 (c) Upon a showing of probable ongoing harm arising from  
25 AI-generated content, courts may issue temporary injunctive relief  
26 on an expedited basis, including orders directing online platforms  
27 or distributors to disable access pending final adjudication.  
28 **SECTION 5.5. NOTIFICATION AND REMOVAL.** (a) A person  
29 alleging harm from AI-generated content may provide written  
30 notice to a distributor or hosting platform identifying the unlawful  
31 content. (b) A platform receiving notice in good faith may  
32 temporarily restrict access to the content pending judicial  
33 determination without incurring liability. **SECTION 6. SAFE**

1 HARBOR FOR TECHNOLOGY PROVIDERS. (a) Providers of  
2 artificial intelligence systems shall not be civilly liable solely for  
3 providing access to an AI system, absent proof of knowing  
4 participation in unlawful conduct. (b) Nothing in this section  
5 limits liability otherwise established under existing law.

6 **SECTION 6.5. GOVERNMENT USE OF ARTIFICIAL**  
7 **INTELLIGENCE.** (a) Any state or local governmental entity  
8 utilizing AI-generated content in public communications shall  
9 disclose when such content has been materially generated or  
10 altered through artificial intelligence systems. **SECTION 7.**

11 **RELATION TO EXISTING LAW.** This Act supplements existing  
12 civil causes of action and does not create new criminal offenses  
13 unless otherwise provided by law. **SECTION 8. EFFECTIVE**  
14 **DATE.** This Act shall take effect after the 90 day period following  
15 the final adjournment of the Seventy-Seventh general assembly.