

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 1045 Session of
2024

INTRODUCED BY KANE, DILLON, FONTANA, TARTAGLIONE, HAYWOOD, COSTA
AND CAPPELLETTI, JANUARY 29, 2024

REFERRED TO JUDICIARY, JANUARY 29, 2024

AN ACT

1 Amending Title 18 (Crimes and Offenses) of the Pennsylvania
2 Consolidated Statutes, in forgery and fraudulent practices,
3 providing for the offense of unauthorized dissemination of
4 artificially generated impersonation of individual.

5 The General Assembly of the Commonwealth of Pennsylvania
6 hereby enacts as follows:

7 Section 1. Title 18 of the Pennsylvania Consolidated
8 Statutes is amended by adding a section to read:

9 § 4122. Unauthorized dissemination of artificially generated
10 impersonation of individual.

11 (a) Offense defined.--A person is guilty of unauthorized
12 dissemination of an artificially generated impersonation of an
13 individual if, with knowledge or reason to know or believe that
14 the impersonation was artificially generated, the person
15 disseminates an artificially generated impersonation of an
16 individual without the consent of the individual.

17 (b) Grading.--An offense under subsection (a) is:

18 (1) a misdemeanor of the first degree; or

19 (2) a felony of the third degree, if committed with the

1 intent to defraud or injure another person.

2 (c) Defense.--It is a defense to a prosecution under
3 subsection (b)(1) that the person disseminated the artificially
4 generated impersonation with the consent of the individual
5 depicted.

6 (d) Applicability.--A person may be convicted under this
7 section if the victim or the offender is located within this
8 Commonwealth.

9 (e) Construction.--Nothing in this section shall be
10 construed to apply to a law enforcement officer engaged in the
11 performance of the law enforcement officer's official duties.

12 (f) Definitions.--As used in this section, the following
13 words and phrases shall have the meanings given to them in this
14 subsection unless the context clearly indicates otherwise:

15 "Artificial intelligence." Includes any of the following:

16 (1) An artificial system that performs tasks under
17 varying and unpredictable circumstances without significant
18 human oversight or that can learn from experience and improve
19 performance when exposed to data sets.

20 (2) An artificial system developed in computer software,
21 physical hardware or other context that solves tasks
22 requiring human-like perception, cognition, planning,
23 learning, communication or physical action.

24 (3) An artificial system designed to think or act like a
25 human, including cognitive architectures and neural networks.

26 (4) A set of techniques, including machine learning,
27 that is designed to approximate a cognitive task.

28 (5) An artificial system designed to act rationally,
29 including an intelligent software agent or embodied robot
30 that achieves goals using perception, planning, reasoning,

1 learning, communicating, decision making and acting.
2 "Artificially generated impersonation." A visual image that
3 appears to show or represent an individual or an auditory
4 vocalization that appears to resemble or represent an
5 individual's voice that did not occur in reality and the
6 production of which image or vocalization was substantially
7 dependent upon technical means, including artificial
8 intelligence or computer software, rather than the ability of an
9 individual to physically mimic another individual.

10 Section 2. This act shall take effect in 90 days.