



## 104TH GENERAL ASSEMBLY

### State of Illinois

2025 and 2026

HB4557

Introduced 1/30/2026, by Rep. Jennifer Gong-Gershowitz

#### SYNOPSIS AS INTRODUCED:

New Act

Creates the Digital Forgeries in Politics Act. Provides that an individual depicted in a digital forgery who is an Illinois resident and a candidate for office in this State has a cause of action against any person who knowingly distributes, or enters into an agreement with another person to distribute, a digital forgery if: (1) the distribution occurs within 90 days before a regular election; and (2) the distribution is reasonably likely to harm the reputation or electoral prospects of a candidate in an election. Sets forth exceptions. Allows a court to issue a temporary restraining order, preliminary injunction, or permanent injunction ordering the defendant to cease the display or distribution of the digital forgery. Includes additional awards to a prevailing plaintiff.

LRB104 16403 JRC 29793 b

1 AN ACT concerning civil law.

2 **Be it enacted by the People of the State of Illinois,**  
3 **represented in the General Assembly:**

4 Section 1. Short title. This Act may be cited as the  
5 Digital Forgeries in Politics Act.

6 Section 5. Definitions. As used in this Act:

7 "Digital forgery" means any audio or visual material that  
8 has been created, materially manipulated, altered, or  
9 annotated to appear to be a realistic record of an act, speech,  
10 conduct, absence, or appearance of an individual that a  
11 reasonable person would incorrectly believe to be a true  
12 depiction of that individual and that falsely depicts an  
13 individual engaged in speech or conduct in which the depicted  
14 individual did not engage.

15 "Regular election" has the meaning given to that term in  
16 Section 1-3 of the Election Code.

17 Section 10. Civil action.

18 (a) An individual depicted in a digital forgery who is a  
19 resident of Illinois and who is a candidate for office in this  
20 State has a cause of action against any person who knowingly  
21 distributes or enters into an agreement with another person to  
22 distribute a digital forgery if:.

1 (1) the distribution occurs within 90 days before a  
2 regular election; and

3 (2) the distribution is reasonably likely to harm the  
4 reputation or electoral prospects of a candidate in an  
5 election.

6 (b) This Section does not apply to digitally manipulated  
7 audiovisual material that includes a clear and conspicuous  
8 disclaimer informing the viewer or listener that the media has  
9 been manipulated by technical means and depicts speech or  
10 conduct that did not occur. The following disclaimer is  
11 sufficient, but not necessary, to satisfy the requirements  
12 under this paragraph: "This (image, audio, or video) has been  
13 manipulated by technical means and depicts speech or conduct  
14 that did not occur."

15 The court shall consider the following factors in  
16 determining whether the disclaimer was clear and conspicuous:

17 (1) if the media is a video, the media includes a  
18 disclaimer that:

19 (A) appears throughout the entirety of the video;

20 (B) is clearly visible to and readable by an  
21 observer;

22 (C) is in letters at least as large as the majority  
23 of any text communication, or if there is no other text  
24 communication, in a size that is easily readable by  
25 the average viewer; and

26 (D) is in the same language as the language used in

1 the video media;

2 (2) if the media consists only of audio and contains  
3 no image or video, the media includes a disclaimer that is  
4 read at the beginning and end of the media in a clearly  
5 spoken manner, in a pitch that can be easily heard by the  
6 average listener, and in the same language as the audio  
7 media;

8 (3) if the media is an image, the media includes a  
9 disclaimer that:

10 (A) is clearly visible to and readable by the  
11 average viewer;

12 (B) if the media contains other text, is in  
13 letters at least as large as the majority of the other  
14 text; and

15 (C) is in the same language as the language used in  
16 the image media; and

17 (4) if the media was generated by editing an existing  
18 image, audio, or video, the media includes a citation  
19 directing the viewer or listener to the original source  
20 from which the unedited version of the existing image,  
21 audio, or video was obtained.

22 Section 15. Remedies.

23 (a) A court in which an action is brought under this Act,  
24 on the motion of a party, may issue a temporary restraining  
25 order, preliminary injunction, or permanent injunction

1 ordering the defendant to cease the display or distribution of  
2 the digital forgery.

3 (b) A prevailing plaintiff may additionally be awarded:

4 (1) the greater of:

5 (A) economic and noneconomic damages proximately  
6 caused by the creation or distribution of the digital  
7 forgery; or

8 (B) statutory damages not to exceed \$10,000  
9 against each defendant found liable under this Act for  
10 each instance that individual distributed the media or  
11 for each instance the media was distributed under an  
12 agreement made to distribute the media;

13 (2) punitive damages; or

14 (3) the costs of the action, including reasonable  
15 attorney's fees and other reasonable litigation costs.

16 (c) This Act does not affect a right or remedy available  
17 under any other law of this State.

18 Section 97. Severability. The provisions of this Act are  
19 severable under Section 1.31 of the Statute on Statutes.