

SB3263



104TH GENERAL ASSEMBLY

State of Illinois

2025 and 2026

SB3263

Introduced 2/3/2026, by Sen. Mary Edly-Allen

SYNOPSIS AS INTRODUCED:

New Act

Creates the Artificial Intelligence Provenance Data Act. Provides that a covered artificial intelligence tool provider shall make available, at no cost to a person, a provenance label reading tool. Provides that a covered artificial intelligence tool provider shall include a provenance label in any image, video, or audio content instance created by its artificial intelligence. Sets forth requirements for large online platforms, capture device manufacturers, and third-party licensees and hosting platforms concerning provenance labels. Sets forth provisions concerning civil penalties. Effective January 1, 2027.

LRB104 19799 SPS 33249 b

A BILL FOR

1 AN ACT concerning business.

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 Artificial Intelligence Provenance Data Act.

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

7 "Artificial intelligence" has the meaning set forth in
8 Section 2-101 of the Illinois Human Rights Act.

9 "Capture device" means any device that can record
10 photographic, audio, or video content, including, but not
11 limited to, video and still photography cameras, mobile phones
12 with built-in cameras or microphones, and voice recorders.

13 "Capture device manufacturer" means a person who produces
14 a capture device for sale in this State. "Capture device
15 manufacturer" does not include a person exclusively engaged in
16 the assembly of a capture device from components produced by
17 others.

18 "Covered artificial intelligence tool provider" means a
19 person or entity that creates, codes, or otherwise produces
20 artificial intelligence that: (i) has over 1,000,000 monthly
21 visitors world-wide or users on average over the preceding
22 12-month period; (ii) is publicly accessible in this State;
23 and (iii) generates, manipulates, or otherwise edits audio,

1 video, or image content.

2 "Large online platform" means a public-facing social media
3 platform, content sharing platform, messaging platform,
4 advertising network, stand-alone search engine, or web browser
5 that distributes content to users who did not create or
6 collaborate in creating the content and that exceeded
7 2,000,000 unique monthly users during the preceding 12 months.

8 "Person" means a natural person, corporation, partnership,
9 sole proprietorship, or other legal entity.

10 "Personal provenance data" means provenance data that
11 contains either personal information or unique device, system,
12 or service information that is reasonably capable of being
13 associated with a particular user.

14 "Provenance label" means a disclosure that is embedded in
15 image, video, or audio content in a manner that is
16 machine-readable.

17 "Provenance label reading tool" means a software program,
18 application, or other mechanism that reads a provenance label
19 and allows a person to determine whether an image, video, or
20 audio content was created or altered by a specific artificial
21 intelligence provided by a covered artificial intelligence
22 tool provider.

23 "System provenance data" means provenance data that is not
24 reasonably capable of being associated with a particular user
25 and that contains information regarding the type of device,
26 system, or service used to generate digital content or

1 information related to content authenticity.

2 Section 10. Requirements for covered artificial
3 intelligence tool providers.

4 (a) A covered artificial intelligence tool provider shall
5 make available, at no cost to a person, a provenance label
6 reading tool. The provenance label reading tool shall be made
7 publicly accessible through a conspicuous link on the covered
8 artificial intelligence tool provider's website and any
9 corresponding mobile application. The provenance label reading
10 tool shall allow a person to:

- 11 (1) upload an image, video, text, or audio content; or
12 (2) provide a uniform resource locator that links to
13 an image, video, text, or audio content.

14 (b) The provenance label reading tool shall support access
15 by an application programming interface that allows a person
16 to programmatically submit content for assessment without
17 accessing the covered artificial intelligence tool provider's
18 website.

19 (c) The provenance label reading tool shall provide a
20 mechanism for a person to submit feedback regarding the tool's
21 efficacy. A covered artificial intelligence tool provider
22 shall consider and use this feedback to improve the provenance
23 label reading tool.

24 (d) A covered artificial intelligence tool provider shall
25 not collect or retain any personal information from a person

1 who uses the provenance label reading tool, except that it may
2 retain contact information voluntarily provided by a person
3 who submits feedback in accordance with subsection (c). The
4 provenance label reading tool shall not output any personal
5 provenance data detected in the content.

6 (e) A covered artificial intelligence tool provider shall
7 not retain any content submitted to the provenance label
8 reading tool for longer than is necessary to comply with this
9 Act.

10 (f) A covered artificial intelligence tool provider shall
11 include a provenance label in any image, video, or audio
12 content instance created by its artificial intelligence. A
13 provenance label required under this subsection shall:

14 (1) be readable by the provenance label reading tool
15 required by this Section;

16 (2) be, to the extent technically feasible, permanent
17 or extraordinarily difficult to remove;

18 (3) convey, to the extent technically feasible, either
19 directly or through a link to a permanent website, the
20 following system provenance data:

21 (A) the name of the covered artificial
22 intelligence tool provider;

23 (B) the name and version number of the artificial
24 intelligence that created or altered the content;

25 (C) the time and date of the content's creation or
26 alteration; and

1 (D) a unique identifier of the content.

2 Section 15. Requirements for large online platforms.

3 (a) A large online platform shall:

4 (1) to the extent technically feasible, detect whether
5 any provenance label that is compliant with widely adopted
6 specifications adopted by an established standards-setting
7 body is embedded in or attached to content distributed on
8 the large online platform;

9 (2) provide a mechanism to disclose any
10 machine-readable provenance label detected in content
11 distributed on the large online platform, which shall, in
12 a clear and conspicuous manner, indicate to a user that
13 provenance data is available; and

14 (3) allow a user to inspect all available system
15 provenance data in an easily accessible manner, either
16 directly through the platform's user interface or by
17 providing a means for the user to download the content
18 with its attached system provenance data.

19 (b) A large online platform shall not:

20 (1) to the extent technically feasible, knowingly
21 strip any provenance label or system provenance data that
22 is compliant with widely adopted specifications adopted by
23 an established standards-setting body from content
24 uploaded to or distributed on the large online platform;
25 or

1 (2) retain any personal provenance data from content
2 shared on the large online platform.

3 Section 20. Requirements for capture device manufacturers.
4 With respect to any capture device that a capture device
5 manufacturer first produces for sale in this State on or after
6 the effective date of this Act, the capture device
7 manufacturer, to the extent technically feasible and compliant
8 with widely adopted specifications adopted by an established
9 standards-setting body, shall:

10 (1) provide a user with the option to include a
11 provenance label in content captured by the capture device
12 that conveys the following system provenance data:

13 (A) the name of the capture device manufacturer;

14 (B) the name and version number of the capture
15 device that created the content; and

16 (C) the time and date of the content's creation;

17 (2) embed the provenance label described in paragraph
18 (1) in content captured by the device by default;

19 (3) clearly inform a user of the existence of settings
20 relating to the provenance label upon the user's first use
21 of a recording function on the capture device;

22 (4) provide in the capture device's settings a clear
23 and accessible mechanism for a user to opt out of the
24 inclusion of a provenance label in the user's captured
25 content; and

1 (5) ensure the capabilities required by this Section
2 are available for the capture device's default capture
3 application and are made available to third-party
4 applications that use the device's capture
5 functionalities.

6 Section 25. Third-party licensees and hosting platforms.

7 (a) If a covered artificial intelligence tool provider
8 licenses its artificial intelligence to a third party, the
9 covered artificial intelligence tool provider shall require by
10 contract that the licensee maintain the system's capability to
11 include a provenance label as required by subsection (f) of
12 Section 10.

13 (b) If a covered artificial intelligence tool provider has
14 actual knowledge that a third-party licensee has modified an
15 artificial intelligence to remove its capability to include a
16 provenance label, the covered artificial intelligence tool
17 provider shall revoke the third party's license to use the
18 artificial intelligence within 96 hours after obtaining the
19 knowledge.

20 (c) A third-party licensee whose license to use artificial
21 intelligence is revoked under this Section shall not use the
22 artificial intelligence after the revocation.

23 (d) The operator of a website or application that makes
24 available for download the source code or model weights of
25 artificial intelligence shall not knowingly make available

1 artificial intelligence that does not place disclosures into
2 content as required by subsection (f) of Section 10.

3 Section 30. Enforcement.

4 (a) A covered artificial intelligence tool provider, large
5 online platform, or capture device manufacturer that violates
6 this Act is liable for a civil penalty in an amount not to
7 exceed \$5,000 per violation.

8 (b) A third-party licensee that violates subsection (c) of
9 Section 25 may be subject to a civil action for injunctive
10 relief.

11 (c) The Attorney General may bring a civil action to
12 enforce this Act and to collect civil penalties or seek
13 injunctive relief. In any such action, the prevailing party
14 may be awarded reasonable attorney's fees and costs.

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

17 Section 99. Effective date. This Act takes effect January
18 1, 2027.