

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 Digital Voice and Likeness Protection Act.

6 Section 5. Definitions.

7 "Artificial intelligence" means a machine-based system
8 that, for explicit or implicit objectives, infers, from the
9 input it receives, how to generate outputs such as
10 predictions, content, recommendations, or decisions that can
11 influence physical or virtual environments. "Artificial
12 intelligence" includes generative artificial intelligence.

13 "Digital replica" means a newly created, electronic
14 representation of the identity of an actual individual created
15 using a computer, algorithm, software, tool, artificial
16 intelligence, or other technology that is fixed in a sound
17 recording or audiovisual work in which that individual did not
18 actually perform or appear and that is so realistic that a
19 reasonable observer would believe it is a performance by the
20 individual being portrayed and no other individual.

21 "Generative artificial intelligence" means an automated
22 computing system that, when prompted with human prompts,
23 descriptions, or queries, can produce outputs that simulate

1 human-produced content, including, but not limited to, the
2 following:

3 (1) textual outputs, such as short answers, essays,
4 poetry, or longer compositions or answers;

5 (2) image outputs, such as fine art, photographs,
6 conceptual art, diagrams, and other images;

7 (3) multimedia outputs, such as audio or video in the
8 form of compositions, songs, or short-form or long-form
9 audio or video; and

10 (4) other content that would be otherwise produced by
11 human means.

12 Section 10. Unenforceable agreements.

13 (a) A provision in an agreement between an individual and
14 any other person for the performance of personal or
15 professional services is contrary to public policy and is
16 deemed unenforceable if the provision meets all of the
17 following conditions:

18 (1) the provision allows for the creation and use of a
19 digital replica of the individual's voice or likeness in
20 place of work the individual would otherwise have
21 performed in person;

22 (2) the provision does not include a reasonably
23 specific description of the intended uses of the digital
24 replica; and

25 (3) the individual was not either:

1 (A) represented by legal counsel who negotiated on
2 behalf of the individual licensing his or her digital
3 replica rights and the licensing terms governing the
4 use of the applicable digital replica exist in a
5 written agreement; or

6 (B) represented by a labor union representing
7 workers who do the proposed work and the terms of the
8 individual's collective bargaining agreement expressly
9 covers uses of digital replicas as that term is
10 defined in this Act or in the individual's collective
11 bargaining agreement.

12 Section 15. Application. This Act applies to agreements
13 entered into after the effective date of this Act.

14 Section 99. Effective date. This Act takes effect upon
15 becoming law.