



Sen. Mary Edly-Allen

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10300HB4762sam001

LRB103 37878 SPS 72722 a

1 AMENDMENT TO HOUSE BILL 4762

2 AMENDMENT NO. \_\_\_\_\_. Amend House Bill 4762 by replacing  
3 everything after the enacting clause with the following:

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

1 recording or audiovisual work in which that individual did not  
2 actually perform or appear and that is so realistic that a  
3 reasonable observer would believe it is a performance by the  
4 individual being portrayed and no other individual.

5 "Generative artificial intelligence" means an automated  
6 computing system that, when prompted with human prompts,  
7 descriptions, or queries, can produce outputs that simulate  
8 human-produced content, including, but not limited to, the  
9 following:

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

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

14 (3) multimedia outputs, such as audio or video in the  
15 form of compositions, songs, or short-form or long-form  
16 audio or video; and

17 (4) other content that would be otherwise produced by  
18 human means.

19 Section 10. Unenforceable agreements.

20 (a) A provision in an agreement between an individual and  
21 any other person for the performance of personal or  
22 professional services is contrary to public policy and is  
23 deemed unenforceable if the provision meets all of the  
24 following conditions:

25 (1) the provision allows for the creation and use of a

1 digital replica of the individual's voice or likeness in  
2 place of work the individual would otherwise have  
3 performed in person;

4 (2) the provision does not include a reasonably  
5 specific description of the intended uses of the digital  
6 replica; and

7 (3) the individual was not either:

8 (A) represented by legal counsel who negotiated on  
9 behalf of the individual licensing his or her digital  
10 replica rights and the licensing terms governing the  
11 use of the applicable digital replica exist in a  
12 written agreement; or

13 (B) represented by a labor union representing  
14 workers who do the proposed work and the terms of the  
15 individual's collective bargaining agreement expressly  
16 covers uses of digital replicas as that term is  
17 defined in this Act or in the individual's collective  
18 bargaining agreement.

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

21 Section 99. Effective date. This Act takes effect upon  
22 becoming law."