

AN ACT concerning business.

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

Section 1. Short title. This Act may be cited as the Digital Voice and Likeness Protection Act.

Section 5. Definitions.

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

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

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

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

- (1) textual outputs, such as short answers, essays, poetry, or longer compositions or answers;
- (2) image outputs, such as fine art, photographs, conceptual art, diagrams, and other images;
- (3) multimedia outputs, such as audio or video in the form of compositions, songs, or short-form or long-form audio or video; and
- (4) other content that would be otherwise produced by human means.

Section 10. Unenforceable agreements.

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

- (1) the provision allows for the creation and use of a digital replica of the individual's voice or likeness in place of work the individual would otherwise have performed in person;
- (2) the provision does not include a reasonably specific description of the intended uses of the digital replica; and
- (3) the individual was not either:

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

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

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

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