

SENATE FILE NO. SF0051

Unlawful dissemination of misleading synthetic media.

Sponsored by: Select Committee on Blockchain, Financial
Technology and Digital Innovation Technology

A BILL

for

1 AN ACT relating to consumer protection; prohibiting the
2 dissemination of synthetic media as specified; providing
3 definitions; providing remedies; providing penalties; and
4 providing for an effective date.

5

6 *Be It Enacted by the Legislature of the State of Wyoming:*

7

8 **Section 1.** W.S. 40-30-201 is created to read:

9

10 ARTICLE 2

11 SYNTHETIC MEDIA

12

13 **40-30-201. Unlawful distribution of misleading**
14 **synthetic media; penalties.**

15

1 (a) As used in this section:

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3 (i) "Record" means as defined in W.S.
4 40-21-102(a)(xiii);

5

6 (ii) "Synthetic media" means an image, audio
7 record or video record of a natural person's appearance,
8 speech or conduct that has been intentionally manipulated
9 or generated in a manner to create a realistic but false
10 image, audio or video or other representation that to a
11 reasonable person is of a real natural person in
12 appearance, action or speech, which appearance, action or
13 speech did not actually occur and which would cause a
14 reasonable person to believe the appearance, action or
15 speech occurred.

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17 (b) A person engages in unlawful dissemination of
18 misleading synthetic media under this article when he
19 knowingly and intentionally disseminates synthetic media
20 knowing it to be synthetic media:

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22 (i) Without:

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1 (A) Displaying clear and conspicuous notice
2 in any visual synthetic media identifying the synthetic
3 media as synthetic media; or

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5 (B) If the synthetic media consists of
6 audio only, providing a disclosure identifying the
7 synthetic media as synthetic media, which disclosure shall
8 be read in a clearly spoken manner and in a pitch that can
9 be easily heard by the average listener, at the beginning
10 of the audio, at the end of the audio and, if the audio is
11 greater than two (2) minutes in length, interspersed within
12 the audio at intervals of not more than two (2) minutes
13 each.

14
15 (ii) With the intent to mislead others about the
16 appearance, actions or speech of the natural person
17 represented in the synthetic media.

18
19 (c) Any person who is depicted by or who is misled by
20 synthetic media disseminated in violation of subsection (b)
21 of this article may maintain a civil action to enjoin or
22 restrain the dissemination of the synthetic media and may
23 in the same action seek damages from the person who

1 disseminated the synthetic media. A court may award any of
2 the following remedies to a plaintiff prevailing in an
3 action brought pursuant to this section:

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5 (i) Equitable relief;

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7 (ii) Damages;

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9 (iii) Costs and fees, including reasonable
10 attorney fees;

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12 (iv) Exemplary damages in an amount not less
13 than one thousand dollars (\$1,000.00) per plaintiff.

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15 (d) The attorney general may enforce the provisions
16 of this article and investigate violations of this article.

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18 (e) The attorney general or any district attorney may
19 on behalf of the state bring an action for temporary or
20 permanent injunctive or other relief in any court of
21 competent jurisdiction for any violation of this article.

22 The court may, upon entry of final judgment finding a
23 violation of this article, award restitution when

1 appropriate to any person suffering loss because of a
2 violation of this article if proof of the loss is submitted
3 to the satisfaction of the court.

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5 (f) This article shall not prohibit actions under
6 other statutory or common law provisions against conduct or
7 practices identical or similar to those declared to be
8 unlawful by section (b) of this section. However, the
9 remedies provided in this article are the exclusive
10 remedies for actions brought pursuant to this article.

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12 (g) A person who disseminates synthetic media in
13 violation of subsection (b) of this section with malicious
14 intent, to influence the outcome of any election within the
15 state of Wyoming or to facilitate any other criminal act is
16 guilty of a misdemeanor punishable by imprisonment for not
17 more than six (6) months, a fine of not more than seven
18 hundred fifty dollars (\$750.00), or both.

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20 (h) Dissemination of any synthetic media protected
21 under the first amendment to the United States constitution
22 or article 1, section 20 of the Wyoming constitution shall
23 not be deemed to violate this section.

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2 **Section 2.** This act is effective July 1, 2024.

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(END)