

[Third Reprint]

ASSEMBLY, No. 4728

STATE OF NEW JERSEY

222nd LEGISLATURE

INTRODUCED MARCH 10, 2026

Sponsored by:

Assemblywoman CARMEN THERESA MORALES

District 34 (Essex)

Assemblywoman MITCHELLE DRULIS

District 16 (Hunterdon, Mercer, Middlesex and Somerset)

Assemblyman AL ABDELAZIZ

District 35 (Bergen and Passaic)

Co-Sponsored by:

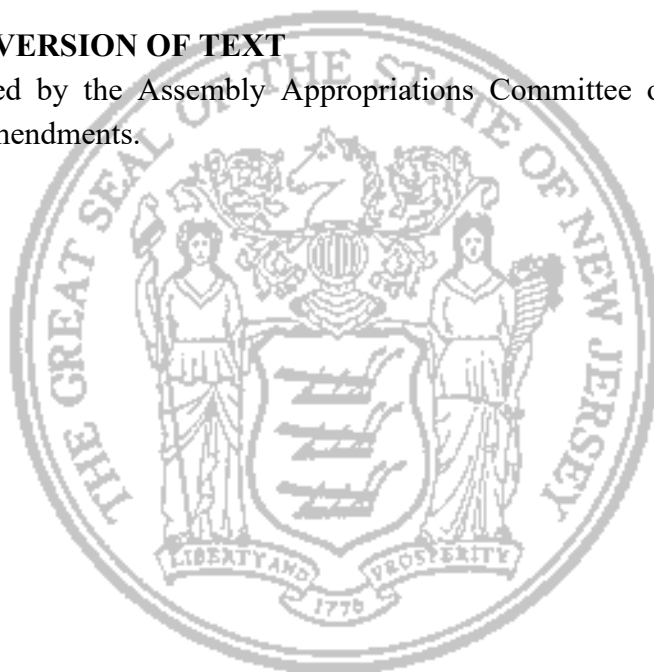
Assemblymen Stanley, Sampson, Assemblywomen Brennan and Rowan

SYNOPSIS

Regulates deceptive use of artificial intelligence in photo advertising of certain dwellings.

CURRENT VERSION OF TEXT

As reported by the Assembly Appropriations Committee on October 22, 2026, with amendments.



(Sponsorship Updated As Of: 9/14/2026)

1 AN ACT concerning photo advertising of dwelling units and
2 dwelling sites and supplementing Title 45 of the Revised
3 Statutes.

4
5 **BE IT ENACTED** *by the Senate and General Assembly of the State*
6 *of New Jersey:*

7
8 1. a. As used in this section:

9 “Buyer” means the same as that term is defined in section 1 of
10 P.L.2024, c.32 (C.45:15-16.86), to include an actual or prospective
11 tenant in a real estate rental or lease transaction.

12 “Buyer’s agent” means the same as that term is defined in
13 section 1 of P.L.2024, c.32 (C.45:15-16.86).

14 “Generative artificial intelligence” means a technology system
15 that: (1) is trained on data; (2) is designed to simulate human
16 connection through text, audio, or visual communication; and (3)
17 generates non-scripted outputs with limited or no human oversight.

18 “Seller” means the same as that term is defined in section 1 of
19 P.L.2024, c.32 (C.45:15-16.86), to include an actual or prospective
20 landlord in a real estate rental or lease transaction. In the case of a
21 mobile or manufactured home park, “seller” shall include the owner
22 of an individual dwelling unit within the mobile or manufactured
23 home park, if the dwelling unit is leased by the owner of the
24 individual dwelling unit, and shall include the owner of the
25 dwelling site that is leased to the owner of an individual dwelling
26 unit.

27 “Seller’s agent” means the same as that term is defined in section
28 1 of P.L.2024, c.32 (C.45:15-16.86).

29 b. In advertising a dwelling unit or, in the case of a mobile or
30 manufactured home park, dwelling site for sale, ¹rent, or lease,¹ a
31 seller or seller’s agent shall not utilize photos of the dwelling unit
32 or dwelling site which have been, in whole or in part, created or
33 edited with the use of generative artificial intelligence or other
34 photo editing software intended to fundamentally alter an image. A
35 photo used to advertise a dwelling unit or dwelling site for sale ¹,
36 rent, or lease¹ shall:

37 (1) reflect the actual, current state of the dwelling unit or
38 dwelling site; and

39 (2) be not older than five years.

40 c. Notwithstanding the provisions of subsection b. of this
41 section, in advertising a dwelling unit or, in the case of a mobile or
42 manufactured home park, dwelling site for sale, ¹rent, or lease,¹ a
43 seller or seller’s agent may utilize generative artificial intelligence
44 or other photo editing software ³or if the unit is being affirmatively

EXPLANATION – Matter enclosed in bold-faced brackets **[thus]** in the above bill is
not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

Matter enclosed in superscript numerals has been adopted as follows:

¹Assembly AST committee amendments adopted March 16, 2026.

²Assembly AHO committee amendments adopted May 14, 2026.

³Assembly AAP committee amendments adopted October 22, 2026.

1 marketed prior to construction being completed in accordance with
2 the rules adopted pursuant to subsection f. of section 21 of
3 P.L.1985, c.222 (C.52:27D-321), or in any advertising³ for the
4 purpose of adding ²or removing, or both,² furniture and other non-
5 fixed items to an image that otherwise reflects the actual, current
6 state of the dwelling unit or dwelling site. The use of generative
7 artificial intelligence or other photo editing software pursuant to
8 this section shall not be for the purpose of disguising a flaw in the
9 dwelling unit or dwelling site.

10 d. A seller or seller's agent that elects to utilize generative
11 artificial intelligence or other photo ¹**[editng]** editing¹ software
12 pursuant to subsection c. of this section shall:

13 (1) disclose the use of generative artificial intelligence or other
14 photo editing software in each advertisement of the dwelling unit or
15 dwelling site; and

16 (2) upon request, provide the original, unaltered images of the
17 dwelling unit or dwelling site to a buyer or buyer's agent.

18 ¹**[f]** e¹. ²A seller's agent who violates the provision of
19 P.L. , c. (C.) (pending before the Legislature as this bill),
20 or any rule or regulation adopted pursuant thereto, shall be subject
21 to disciplinary action by the New Jersey Real Estate Commission.

22 f.² A seller ²**[or seller's agent]**² who violates a provision of
23 P.L. , c. (C.) (pending before the Legislature as this bill),
24 or any rule or regulation adopted pursuant thereto, shall be subject
25 to a civil penalty of \$500 for the first offense and up to \$1,000 for
26 the second and each subsequent offense, to be collected in a civil
27 action by a summary proceeding under the "Penalty Enforcement
28 Law of 1999," P.L.1999, c.274 (C.2A:58-10 et seq.). The Superior
29 Court and the municipal court shall have jurisdiction to enforce the
30 provisions of the "Penalty Enforcement Law of 1999" pursuant to
31 this subsection.

32
33 2. ¹**[The]** Within one year of the effective date of
34 P.L. , c. (C.), the¹ New Jersey Real Estate Commission
35 ¹**[may]** shall¹ promulgate, pursuant to the "Administrative
36 Procedure Act," P.L. 1968, c.410 (C.52:14B-1 et seq.), any
37 regulations as are necessary to effectuate the provisions of
38 P.L. , c. (C.) (pending before the Legislature as this bill).

39
40 3. This act shall take effect on the first day of the second month
41 next following ¹the date of¹ enactment except that the New Jersey
42 Real Estate Commission may take anticipatory action as may be
43 necessary. ¹This act shall apply to photo advertisements concerning
44 dwelling units and dwelling sites first listed as for sale, rent, or
45 lease after the effective date of this act.¹