

SENATE, No. 4702

STATE OF NEW JERSEY
222nd LEGISLATURE

INTRODUCED OCTOBER 1, 2026

Sponsored by:
Senator RAJ MUKHERJI
District 32 (Hudson)

SYNOPSIS

“AI Likeness Protection Act”; concerns distributing realistic representation of individual’s image, likeness, or voice created using generative artificial intelligence.

CURRENT VERSION OF TEXT

As introduced.



1 AN ACT concerning the distribution of a realistic representation of
2 an individual's image, likeness, or voice using generative
3 artificial intelligence and supplementing Title 56 of the Revised
4 Statutes.

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

8
9 1. The Legislature finds and declares that:

10 a. Generative artificial intelligence (GenAI) systems enable
11 users to create representations of an individual's image or likeness
12 that are indistinguishable from real life and therefore are materially
13 different from what previous technologies enabled.

14 b. Content created using a GenAI system is unprecedented in
15 its ability to create lifelike representations that deceive viewers into
16 believing the content captures actual people or events.

17 c. GenAI systems enable users to create deceptively realistic
18 representations that are entirely new, unlike previous technologies
19 that only enabled users to create realistic content by editing
20 authentic source materials. As a result, GenAI systems enable users
21 to create a wider range of deceptively lifelike content, including
22 content that can be used to defame, appropriate the likeness of, or
23 intentionally inflict emotional harm on another person.

24 d. The unprecedented realism of content created using a GenAI
25 system expands the content's ability to mislead viewers, which
26 intensifies the reputational harm it can inflict, as well as emotional
27 harm in cases where the content contains a representation of
28 another's image or likeness that is obscene, offensive, or sexually
29 abusive.

30 e. An individual's interest in the exclusive use of the
31 individual's own identity includes preservation of autonomy over
32 the individual's personality. Loss of that autonomy can result in
33 intense emotional and other harms.

34 f. GenAI systems enable users to create deceptively lifelike
35 content more quickly and in larger volumes than previous
36 technologies.

37 g. GenAI systems' unprecedented efficiency threatens to
38 overwhelm the State with deceptively lifelike content.

39 h. It is not technologically feasible to consistently prevent a
40 GenAI system from enabling users to create deceptively lifelike
41 content that can be used to defame, appropriate the likeness of, or
42 intentionally inflict emotional harm on another person. As a result,
43 measures to deter misuse of this new technology are necessary to
44 address the unprecedented volume and increased intensity of such
45 harms.

46
47 2. This act shall be known and may be cited as the "AI
48 Likeness Protection Act."

1 3. As used in P.L. , c. (C.) (pending before the
2 Legislature as this bill):

3 “Generative artificial intelligence system” or “GenAI system”
4 means a technology system that is trained on data and can generate
5 derived synthetic content, including text, images, video, and audio,
6 which content emulates the structure and characteristics of the
7 system’s training data.

8 “Realistic representation” means a highly realistic electronic
9 representation that is created using a GenAI system and is readily
10 identifiable as the voice or visual likeness of an individual that is
11 embodied in a sound recording, image, audiovisual work, or
12 transmission in which the actual individual either did not actually
13 perform or appear, or the actual individual did perform or appear,
14 but the fundamental character of the performance or appearance has
15 been materially altered, which a reasonable person would not be
16 able to determine was not the actual individual appearing or
17 performing solely by seeing or hearing the representation.

18 “Realistic representation” does not include: (1) the use or
19 electronic reproduction of a sample of one sound recording or
20 audiovisual work into another; (2) remixing, mastering, or digital
21 remastering of a sound recording or audiovisual work authorized by
22 the copyright holder; or (3) an electronic representation that has a
23 clear and conspicuous label or watermark identifying the electronic
24 representation as the product of a GenAI system.

25

26 4. a. Prior to publishing, distributing, transmitting, or
27 otherwise making available to the public a realistic representation,
28 an individual or entity shall obtain authorization or consent from:

29 (1) the individual who is represented in the realistic
30 representation; or

31 (2) a parent or legal guardian, where applicable, of a minor who
32 is represented in the realistic representation.

33 b. The individual, or the parent or guardian of a minor, if
34 applicable, may bring a civil action for the use of a realistic
35 representation without obtaining prior authorization or consent as
36 required by subsection a. of this section.

37 c. It shall be a defense to a civil action brought pursuant to
38 subsection b. of this section that:

39 (1) the defendant included a label or disclaimer that the realistic
40 representation was created using a GenAI system;

41 (2) the defendant used the realistic representation in such a way
42 that a reasonable person would assume that the realistic
43 representation was created using a GenAI system; or

44 (3) the plaintiff, or the minor individual represented in the
45 realistic representation if applicable, is a public figure, and the use
46 of the realistic representation constitutes satire or parody.

1 performing solely by seeing or hearing the electronic
2 representation.

3 Under the bill, a person is to be liable in a civil action if the
4 person publishes distributes, transmits, or otherwise makes
5 available to the public a realistic representation of an individual
6 without certain authorization or consent. The individual who is
7 represented in a realistic representation or the parent or guardian of
8 a minor who is represented in a realistic representation is entitled to
9 injunctive relief and to recover the damages suffered as a result of
10 the knowing unauthorized use of the individual's image, likeness, or
11 voice, plus reasonable attorneys' fees. Under the bill, if the
12 offender is a minor, the prevailing plaintiff is only entitled to
13 injunctive relief for the minor's first violation. For the second and
14 each subsequent violation by the minor, a plaintiff is to be entitled
15 to full relief under the bill.