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**HOUSE BILL 1205**

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**State of Washington 69th Legislature 2025 Regular Session**

**By** Representatives Ryu, Obras, Cortes, Callan, Pollet, Kloba, and Timmons

AN ACT Relating to prohibiting the knowing distribution of a forged digital likeness; and reenacting and amending RCW 9A.60.010 and 9A.60.045.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

**Sec.**  RCW 9A.60.010 and 2011 c 336 s 381 are each reenacted and amended to read as follows:

The following definitions and the definitions of RCW 9A.56.010 are applicable in this chapter unless the context otherwise requires:

(1) "Complete written instrument" means one which is fully drawn with respect to every essential feature thereof;

(2) "Incomplete written instrument" means one which contains some matter by way of content or authentication but which requires additional matter in order to render it a complete written instrument;

(3) To "falsely alter" a written instrument means to change, without authorization by anyone entitled to grant it, a written instrument, whether complete or incomplete, by means of erasure, obliteration, deletion, insertion of new matter, transposition of matter, or in any other manner;

(4) To "falsely complete" a written instrument means to transform an incomplete written instrument into a complete one by adding or inserting matter, without the authority of anyone entitled to grant it;

(5) To "falsely make" a written instrument means to make or draw a complete or incomplete written instrument which purports to be authentic, but which is not authentic either because the ostensible maker is fictitious or because, if real, he or she did not authorize the making or drawing thereof;

(6) "Forged digital likeness" means a visual representation of an actual and identifiable individual, or an audio recording of an actual and identifiable individual's voice, which:

(a) Has been digitally created, adapted, altered, or modified to be indistinguishable from a genuine visual representation or audio recording of the individual;

(b) Misrepresents the appearance, speech, or conduct of the individual; and

(c) Is likely to deceive a reasonable person into believing that the visual representation or audio recording is genuine;

(7) "Forged instrument" means a written instrument which has been falsely made, completed, or altered;

((~~(7)~~)) (8) "Visual representation" means any pictorial or motion picture representation, regardless of the media used;

(9) "Written instrument" means: (a) Any paper, document, or other instrument containing written or printed matter or its equivalent; or (b) any access device, token, stamp, seal, badge, trademark, or other evidence or symbol of value, right, privilege, or identification.

**Sec.**  RCW 9A.60.045 and 2004 c 124 s 1 and 2004 c 11 s 2 are each reenacted and amended to read as follows:

(1) A person is guilty of criminal impersonation in the second degree if the person:

(a)(i) Claims to be a law enforcement officer or creates an impression that he or she is a law enforcement officer; and

(ii) Under circumstances not amounting to criminal impersonation in the first degree, does an act with intent to convey the impression that he or she is acting in an official capacity and a reasonable person would believe the person is a law enforcement officer; ((~~or~~))

(b) Falsely assumes the identity of a veteran or active duty member of the armed forces of the United States with intent to defraud for the purpose of personal gain or to facilitate any unlawful activity; or

(c)(i) Knowingly distributes a forged digital likeness of another person as a genuine visual representation or audio recording with intent to defraud, harass, threaten, intimidate, or humiliate another or for any other unlawful purpose; and

(ii) Knows or reasonably should know that the forged digital likeness is not genuine.

(2) Criminal impersonation in the second degree is a gross misdemeanor.

(3) Nothing in subsection (1)(c) of this section shall be construed to prohibit the distribution of visual representations or audio recordings for matters of cultural, historical, political, religious, educational, newsworthy, or public interest including, but not limited to, use in works of art, commentary, satire, and parody protected by the Washington state Constitution or the United States Constitution.

**--- END ---**