
SUBSTITUTE HOUSE BILL 1170

State of Washington

69th Legislature

2025 Regular Session

By House Technology, Economic Development, & Veterans (originally sponsored by Representatives Shavers, Taylor, Ryu, Ramel, Fosse, Wylie, Pollet, Ormsby, and Hill)

READ FIRST TIME 01/31/25.

1 AN ACT Relating to informing users when content is developed or
2 modified by artificial intelligence; and adding a new chapter to
3 Title 19 RCW.

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

5 NEW SECTION. **Sec. 1.** The definitions in this section apply
6 throughout this chapter unless the context clearly requires
7 otherwise.

8 (1) "Artificial intelligence system" or "AI system" means an
9 engineered or machine-based system that varies in its level of
10 autonomy and that can, for explicit or implicit objectives, infer
11 from the input it receives how to generate outputs that can influence
12 physical or virtual environments.

13 (2) "Covered provider" means a person that creates, codes, or
14 otherwise produces a generative artificial intelligence system that
15 has over 1,000,000 monthly visitors or users and is publicly
16 accessible within the geographic boundaries of the state. "Covered
17 provider" does not mean government agencies or tribal nations.

18 (3) "Generative artificial intelligence system" means an
19 artificial intelligence system that can generate derived synthetic
20 content, including text, images, video, and audio, that emulates the

1 structure and characteristics of the artificial intelligence system's
2 training data.

3 (4) "Latent" means present but not manifest.

4 (5) "Manifest" means easily perceived, understood, or recognized
5 by a natural person.

6 (6) "Metadata" means structural or descriptive information about
7 data.

8 (7) "Personal information" has the same meaning as defined in RCW
9 19.255.005.

10 (8) "Personal provenance data" means provenance data that
11 contains either of the following:

12 (a) Personal information; or

13 (b) Unique device, system, or service information that is
14 reasonably capable of being associated with a particular user.

15 (9) "Provenance data" means data that is embedded into digital
16 content or that is included in the digital content's metadata for the
17 purpose of verifying the digital content's authenticity, origin, or
18 history of modification.

19 (10) "System provenance data" means provenance data that is not
20 reasonably capable of being associated with a particular user and
21 that contains either of the following:

22 (a) Information regarding the type of device, system, or service
23 that was used to generate a piece of digital content; or

24 (b) Information that helps a user assess authenticity.

25 NEW SECTION. **Sec. 2.** (1) A covered provider shall make
26 available an artificial intelligence detection tool at no cost to the
27 user that meets all of the following criteria:

28 (a) The tool allows a user to assess whether image, video, or
29 audio content, or content that is any combination thereof, was
30 created or altered by the covered provider's generative artificial
31 intelligence system;

32 (b) The tool outputs any system provenance data that is detected
33 in the content;

34 (c) The tool does not output any personal provenance data that is
35 detected in the content, to the extent technically feasible;

36 (d) The tool is publicly accessible, although a covered provider
37 may impose reasonable limitations on access to the tool to prevent,
38 or respond to, demonstrable risks to the security or integrity of its
39 generative artificial intelligence system;

1 (e) The tool allows a user to upload content or provide a uniform
2 resource locator linking to online content; and

3 (f) The tool supports an application programming interface that
4 allows a user to invoke the tool without visiting the covered
5 provider's internet website.

6 (2) A covered provider shall collect user feedback related to the
7 efficacy of the covered provider's artificial intelligence detection
8 tool and incorporate relevant feedback into any attempt to improve
9 the efficacy of the tool.

10 (3) A covered provider may not do any of the following:

11 (a) Collect or retain personal information from users of the
12 covered provider's artificial intelligence detection tool, except:

13 (i) A covered provider may collect and retain the contact
14 information of a user who submits feedback pursuant to subsection (2)
15 of this section if the user opts in to being contacted by the covered
16 provider; and

17 (ii) User information collected may only be used to evaluate and
18 improve the efficacy of the covered provider's artificial
19 intelligence detection tool;

20 (b) Retain any content submitted to the artificial intelligence
21 detection tool for longer than is necessary to comply with this
22 section; or

23 (c) Retain any personal provenance data from content submitted to
24 the artificial intelligence detection tool by a user.

25 NEW SECTION. **Sec. 3.** (1) A covered provider shall offer the
26 user the option to include a manifest disclosure in image, video, or
27 audio content, or content that is any combination thereof, created or
28 altered by the covered provider's generative artificial intelligence
29 system that meets all of the following criteria:

30 (a) The disclosure identifies content as AI-generated content;

31 (b) The disclosure is clear, conspicuous, appropriate for the
32 medium of the content, and understandable to a reasonable person; and

33 (c) The disclosure is permanent or extraordinarily difficult to
34 remove, to the extent it is technically feasible.

35 (2) A covered provider shall include a latent disclosure in AI-
36 generated image, video, or audio content, or content that is any
37 combination thereof, created by the covered provider's generative
38 artificial intelligence system that meets all of the following
39 criteria:

1 (a) To the extent it is technically feasible and reasonable, the
2 disclosure conveys all of the following information, either directly
3 or through a link to a permanent internet website:

4 (i) The name of the covered provider;

5 (ii) The name and version number of the generative artificial
6 intelligence system that created or altered the content;

7 (iii) The time and date of the content's creation or alteration;
8 and

9 (iv) A unique identifier;

10 (b) The disclosure is detectable by the covered provider's
11 artificial intelligence detection tool;

12 (c) The disclosure is consistent with widely accepted industry
13 standards;

14 (d) The disclosure is permanent or extraordinarily difficult to
15 remove, to the extent it is technically feasible.

16 (3) (a) If a covered provider licenses its generative artificial
17 intelligence system to a third party, the covered provider shall
18 require by contract that the licensee maintain the system's
19 capability to include a disclosure required by subsection (2) of this
20 section in content the system creates or alters.

21 (b) If a covered provider knows that a third-party licensee
22 modified a licensed generative artificial intelligence system such
23 that it is no longer capable of including a disclosure required by
24 subsection (2) of this section in content the system creates or
25 alters, the covered provider shall revoke the license within 96 hours
26 of discovering the licensee's action.

27 (c) A third-party licensee shall cease using a licensed
28 generative artificial intelligence system after the license for the
29 system has been revoked by the covered provider pursuant to (b) of
30 this subsection.

31 NEW SECTION. **Sec. 4.** This act does not apply to any product,
32 service, internet website, or application that provides exclusively
33 video game, television, streaming, movie, or interactive experiences.

34 NEW SECTION. **Sec. 5.** (1) The legislature finds that the
35 practices covered by this chapter are matters vitally affecting the
36 public interest for the purpose of applying the consumer protection
37 act, chapter 19.86 RCW. A violation of this chapter is not reasonable
38 in relation to the development and preservation of business and is an

1 unfair or deceptive act in trade or commerce and an unfair method of
2 competition for the purpose of applying the consumer protection act,
3 chapter 19.86 RCW.

4 (2) The attorney general shall, prior to initiating any action
5 for a violation of any provisions of this chapter, issue a notice of
6 violation to the covered provider if the attorney general determines
7 that a cure is possible. If the covered provider fails to cure such
8 violation within 45 days of receipt of the notice of violation, the
9 attorney general may bring an action pursuant to this section.

10 NEW SECTION. **Sec. 6.** Sections 1 through 5 of this act
11 constitute a new chapter in Title 19 RCW.

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