

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 95 Session of 2025

INTRODUCED BY PIELLI, KHAN, MERSKI, O'MARA, KENYATTA, GUENST, WAXMAN, CEPEDA-FREYTIZ, HARKINS, GIRAL, FREEMAN, HANBIDGE, HOHENSTEIN, BURGOS, SANCHEZ, DONAHUE, SHUSTERMAN, HOWARD, WEBSTER, NEILSON, HADDOCK, PROBST, OTTEN, BOROWSKI, HILL-EVANS AND STEELE, JANUARY 14, 2025

REFERRED TO COMMITTEE ON COMMUNICATIONS AND TECHNOLOGY, JANUARY 14, 2025

AN ACT

1 Amending the act of December 17, 1968 (P.L.1224, No.387),  
 2 entitled "An act prohibiting unfair methods of competition  
 3 and unfair or deceptive acts or practices in the conduct of  
 4 any trade or commerce, giving the Attorney General and  
 5 District Attorneys certain powers and duties and providing  
 6 penalties," further providing for definitions.

7 The General Assembly of the Commonwealth of Pennsylvania  
 8 hereby enacts as follows:

9 Section 1. Section 2(4) of the act of December 17, 1968  
 10 (P.L.1224, No.387), known as the Unfair Trade Practices and  
 11 Consumer Protection Law, is amended by adding a subclause and  
 12 the section is amended by adding clauses to read:

13 Section 2. Definitions.--As used in this act.

14 \* \* \*

15 (4) "Unfair methods of competition" and "unfair or deceptive  
 16 acts or practices" mean any one or more of the following:

17 \* \* \*

18 (xx.1) Knowingly or recklessly creating, distributing or

1 publishing any content generated by artificial intelligence  
2 without clear and conspicuous disclosure, including written  
3 text, images, audio and video content and other forms of media.  
4 A disclosure under this subclause must state that the content  
5 was generated using artificial intelligence, must be displayed  
6 in the first instance when the content is presented to the  
7 consumer, must be presented in a manner reasonably  
8 understandable and readily noticeable to the consumer and must  
9 be presented in the same medium as the content.

10 \* \* \*

11 (14) "Artificial intelligence" means technology or tools  
12 that use predictive algorithms to create new content, including  
13 audio, code, images, text, simulations or videos.

14 (15) "Clear and conspicuous" means a statement or disclosure  
15 that meets all of the following criteria:

16 (i) The statement or disclosure is disclosed in a size,  
17 color, contrast, location, duration and audibility that is  
18 readily noticeable, readable, understandable and capable of  
19 being heard.

20 (ii) The statement or disclosure does not contradict and is  
21 not inconsistent with any other information with which the  
22 statement or disclosure is presented.

23 (iii) If the statement or disclosure modifies, explains or  
24 clarifies other information with which the statement or  
25 disclosure is presented:

26 (A) the statement or disclosure is presented in proximity to  
27 the information that the statement or disclosure modifies in a  
28 manner that is likely to be noticed, readable and  
29 understandable; and

30 (B) the statement or disclosure is not to be obscured in any

1 manner.

2 (iv) If the statement or disclosure is an audio statement or  
3 disclosure, the statement or disclosure is delivered in a volume  
4 and cadence sufficient for a consumer to hear and comprehend the  
5 statement or disclosure.

6 (v) If the statement or disclosure is a visual statement or  
7 disclosure, the statement or disclosure is of a size and shade  
8 and appears on the screen for a duration sufficient for a  
9 consumer to read and comprehend the statement or disclosure.

10 (vi) If the statement or disclosure is a print advertisement  
11 or promotional material, including a point-of-sale display or  
12 brochure materials directed to a consumer, the statement or  
13 disclosure is in a type size and location sufficiently  
14 noticeable for a consumer to read and comprehend the statement  
15 or disclosure in a print that contrasts with the background  
16 against which the statement or disclosure appears.

17 Section 2. This act shall take effect in 60 days.