

AMENDMENT #4

OFFERED IN THE HOUSE
TO: CSHB 47(JUD)

BY REPRESENTATIVE FIELDS

1 Page 1, line 1, following "Act": *(title amendment)*

2 Insert "relating to distribution of a forged digital likeness;"

3

4 Page 1, following line 4:

5 Insert a new bill section to read:

6 "* Section 1. AS 11.46 is amended by adding a new section to read:

7 **Sec. 11.46.575. Distribution of a forged digital likeness.** (a) A person
8 commits the crime of distribution of a forged digital likeness if the person

9 (1) knowingly distributes a forged digital likeness of a person with the
10 intent to defraud, harass, threaten, or intimidate another person; and

11 (2) knows or reasonably should know the forged digital likeness is not
12 authentic.

13 (b) Nothing in this section shall be construed to prohibit the distribution of a
14 visual representation or audio recording for a matter of cultural, historical, political,
15 religious, educational, newsworthy, or public interest, including for use in a work of
16 art, commentary, satire, or parody.

17 (c) Nothing in this section shall be construed to impose liability on an
18 interactive computer service, mobile telecommunications service provider, or
19 telecommunications network or broadband provider as a result of content provided by
20 another person.

21 (d) In this section,

22 (1) "forged digital likeness" means a visual representation of an actual
23 and identifiable individual or an audio recording of an actual and identifiable

1 individual's voice that has been digitally created, adapted, altered, or made
2 indistinguishable from an authentic visual representation or recording of the
3 individual, that misrepresents the appearance, speech, or conduct of the individual, and
4 that is likely to deceive a reasonable person into believing the visual representation or
5 audio recording is authentic;

6 (2) "interactive computer service" has the meaning given in
7 AS 11.61.127(b);

8 (3) "visual representation" means any pictorial or motion picture
9 representation, regardless of the media format that is used.

10 (e) Distribution of a forged digital likeness is a class A misdemeanor."
11

12 Page 1, line 5:

13 Delete "**Section 1**"

14 Insert "**Sec. 2**"

15

16 Renumber the following bill sections accordingly.

17

18 Page 17, following line 2:

19 Insert a new paragraph to read:

20 "(1) AS 11.46.575, enacted by sec. 1 of this Act;"

21

22 Renumber the following paragraphs accordingly.

23

24 Page 17, line 3:

25 Delete "sec. 1"

26 Insert "sec. 2"

27

28 Page 17, line 4:

29 Delete "sec. 3"

30 Insert "sec. 4"

31

1 Page 17, line 5:

2 Delete "sec. 4"

3 Insert "sec. 5"

4

5 Page 17, line 6:

6 Delete "sec. 5"

7 Insert "sec. 6"

8

9 Page 17, line 7:

10 Delete "sec. 6"

11 Insert "sec. 7"

12

13 Page 17, line 8:

14 Delete "sec. 7"

15 Insert "sec. 8"

16

17 Page 17, line 11:

18 Delete "sec. 9"

19 Insert "sec. 10"

20

21 Page 17, line 12:

22 Delete "sec. 10"

23 Insert "sec. 11"

24

25 Page 17, line 13:

26 Delete "sec. 12"

27 Insert "sec. 13"

28

29 Page 17, line 14:

30 Delete "sec. 14"

31 Insert "sec. 15"

1

2 Page 17, line 15:

3 Delete "sec. 15"

4 Insert "sec. 16"

5

6 Page 17, line 16:

7 Delete "sec. 16"

8 Insert "sec. 17"