HOUSE . . . . No. 90

The Commonwealth of Massachusetts

PRESENTED BY:

Jay D. Livingstone

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act regulating provenance regarding artificial intelligence.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
Jay D. Livingstone	*8th Suffolk*	*1/15/2025*

HOUSE . . . . No. 90

By Representative Livingstone of Boston, a petition (accompanied by bill, House, No. 90) of Jay D. Livingstone relative to provenance regarding artificial intelligence. Advanced Information Technology, the Internet and Cybersecurity.

The Commonwealth of Massachusetts

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**In the One Hundred and Ninety-Fourth General Court
(2025-2026)**

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An Act regulating provenance regarding artificial intelligence.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1   SECTION 1. Chapter 93 of the General Laws, as appearing in the 2022 Official Edition,

2   is hereby amended by adding the following section:-

3   Section 115. Provence Regarding Artificial Intelligence

4   Artificial Intelligence or "AI" – a machine-based system that, for explicit or implicit

5   objectives, infers, from the input it receives, how to generate outputs such as predictions,

6   content, recommendations, or decisions that can influence physical or virtual environments.

7   Different AI systems vary in their levels of autonomy and adaptiveness after deployment.

8   Capture Device – a device that can record photographs, audio, or video content,

9   including, but not limited to, video and still photography cameras, mobile phones with built-in

10   cameras or microphones, and voice recorders.

11   Content – any visual and/or audio digital content.

12   GenAI Model – an AI model designed to generate new data or content based on the

13   patterns or structures from its training data. For clarity, this does not include non-generative

14   capabilities like classification, predictions or labeling.

15   GenAI Provider – an organization that develops a GenAI Tool that is made publicly

16   available for use by Massachusetts residents.

17   GenAI Tool – a product or feature that provides the outputs from a GenAI model to end

18   users.

19   Large Online Platform – a public-facing social media platform, content-sharing platform,

20   messaging platform, advertising network, or standalone search engine that distributes content to

21   users who did not create or collaborate in creating the content.

22   Provenance Application Tool – a tool or online service that allows users to easily apply

23   Provenance Data.

24   Provenance Data – information such as the origin of a piece of Content and the history of

25   modifications to the Content – that is in a format which is compliant with widely-adopted

26   guidelines or specifications promulgated by an established standards-setting body, and which

27   includes but is not limited to: (a) whether some or all of the content is Synthetic Content; and (b)

28   when there is synthetic Content, the name of the GenAI Provider whose GenAI Tool generated

29   the Synthetic Content.

30   Provenance Reader – a tool or service that allows users to view Provenance Data and its

31   integrity.

32   Synthetic Content – visual and/or audio Content that has been produced or modified by a

33   GenAI Tool.

34   A GenAI Provider shall apply Provenance Data, either directly or through the use of

35   third-party technology, to wholly-generated Synthetic Content generated by the GenAI

36   Provider's GenAI Tool.

37   A GenAI Provider shall make available a Provenance Application Tool that enables the

38   user to apply Provenance Data, either directly or through the use of third-party technology, to

39   Content that has been modified to include Synthetic Content.

40   A GenAI Provider shall make available to the public, a Provenance Reader.

41   A Large Online Platform shall (a) retain any available Provenance Data in Content

42   provided to, or posted on, such Large Online Platform; and (b) make available to a consumer of

43   Content either (1) the Provenance Data; or (2) a conspicuous indicator that Provenance Data is

44   available, or both.

45   A Capture Device must (a) include in the Device's default capture app the ability for a

46   user to enable the inclusion of Provenance Data in the user's captured Content (b) Ensure secure

47   hardware-based provenance capture is available to 3rd party applications.