

Joint Committee on Advanced Information Technology, the Internet and Cybersecurity 2025-2026 (194th) Bill Summary

Bill Number: H. 90

Title: An Act Regulating Provenance Regarding Artificial Intelligence

Lead Sponsor: Representative Jay D. Livingstone

Hearing Date: September 11, 2025

Report Date: November 10, 2025

Current Law: Title XV of Part I of the Massachusetts General Laws allows for the regulation of trade.

Executive Summary: Generative AI providers must automatically tag their wholly-generated synthetic content with provenance information and provide tools for users to tag partially-modified content. Large online platforms like social media sites must preserve and make available this provenance information when content is posted on their platforms. The bill also requires capture devices (cameras, phones, etc.) to include built-in capabilities for users to add provenance data to their original content and provide secure hardware-based provenance features to third-party apps.

Legislative History: New File

Summary:

Defines “Artificial Intelligence (AI)” as a machine-based system that, for explicit or implicit objectives, infers, from the input it receives, how to generate outputs such as predictions, content, recommendations, or decisions that can influence physical or virtual environments.

Defines “Capture Device” as a device that can record photographs, audio, or video content, including, but not limited to, video and still photography cameras, mobile phones with built-in cameras or microphones, and voice recorders.

Defines “GenAI Model” as an AI model designed to generate new data or content based on the patterns or structures from its training data. For clarity, this does not include non-generative capabilities like classification, predictions or labeling.

Defines “GenAI Provider” as an organization that develops a GenAI Tool that is made publicly available for use by Massachusetts residents.

Defines “GenAI Tool” as a product or feature that provides the outputs from a GenAI model to end users.

Defines “Large Online Platform” as a public-facing social media platform, content-sharing platform, messaging platform, advertising network, or standalone search engine that distributes content to users who did not create or collaborate in creating the content.

Defines “Provenance Application Tool” as a tool or online service that allows users to easily apply Provenance Data.

Defines “Provenance Data” as information such as the origin of a piece of content and the history of modifications to the content that is in a format which is compliant with widely-adopted guidelines or specifications promulgated by an established standards-setting body, and which includes but is not limited to:

- (a) whether some or all of the content is Synthetic Content; and
- (b) when there is synthetic Content, the name of the GenAI Provider whose GenAI Tool generated the Synthetic Content.

Defines “Provenance Reader” as a tool or service that allows users to view Provenance Data and its integrity.

Defines “Synthetic Content” as visual and/or audio Content that has been produced or modified by a GenAI Tool.

Generative AI providers must automatically tag their wholly-generated synthetic content with provenance information and provide tools for users to tag partially-modified content. Large online platforms like social media sites must preserve and make available this provenance information when content is posted on their platforms. The bill also requires capture devices (cameras, phones, etc.) to include built-in capabilities for users to add provenance data to their original content and provide secure hardware-based provenance features to third-party apps.