

As Introduced

135th General Assembly

Regular Session

2023-2024

H. B. No. 401

Representatives Miller, K., Demetriou

Cosponsors: Representatives Brennan, Robb Blasdel, Richardson, Weinstein,
White, Williams, Young, T.

A BILL

To enact section 2913.321 of the Revised Code to
create the offense of nonconsensual distribution
of a deepfake.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF OHIO:

Section 1. That section 2913.321 of the Revised Code be
enacted to read as follows:

Sec. 2913.321. (A) As used in this section, "deepfake"
means an image or recording that has been convincingly altered
and manipulated to misrepresent a person as performing an action
or making a statement that person did not, in fact, perform or
make.

(B) No person shall, without the consent of the depicted
individual, in order to harass, extort, threaten, or cause
physical, emotional, reputational, or economic harm to an
individual falsely depicted, knowingly do any of the following:

(1) Create a deepfake with intent to distribute;

(2) Distribute a deepfake;

<u>(3) Solicit the creation of a deepfake with intent to</u>	17
<u>distribute.</u>	18
<u>(C) Whoever violates this section is guilty of</u>	19
<u>nonconsensual distribution of a deepfake, a misdemeanor of the</u>	20
<u>first degree on a first offense and a felony of the fifth degree</u>	21
<u>on each subsequent offense.</u>	22