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**HOUSE BILL 2142**

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**State of Washington**

**66th Legislature**

**2019 Regular Session**

**By** Representatives Mosbrucker, Frame, Dent, and Orwall

1 AN ACT Relating to digitally altered photographs used in  
2 advertising; and creating new sections.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4 NEW SECTION. **Sec. 1.** The legislature finds that digitally  
5 altered photographs in advertising and media negatively impact the  
6 mental and physical health of our citizens, including impressionable  
7 youth. Digitally altered images normalize a distorted idea of what  
8 people look like and create a false illusion of what is physically  
9 possible. Digitally altered photographs can result in negative  
10 impacts to a person's mental and physical health such as low self-  
11 esteem, eating disorders, depression, and suicide. All digitally  
12 altered images should be required to be labeled in order to make  
13 people aware that the photograph was altered.

14 Therefore, the legislature intends to diminish the effect of  
15 exposure to misleading advertising that present photographs of  
16 persons that have been digitally altered to materially change the  
17 appearance and physical characteristics of faces and bodies.

18 NEW SECTION. **Sec. 2.** (1)(a) Any advertisement that uses  
19 photography that has been digitally altered to materially change the  
20 appearance and physical characteristics of a person's face or body

1 must include a written notification to the consumer that digital  
2 alteration was applied.

3 (b) The notification must appear on the photograph, or in a  
4 prominent place within the advertisement, in a size and color that  
5 are clearly visible and on an area that is no smaller than at least  
6 seven percent of the area of the advertisement.

7 (2) Material changes include, but are not limited to, alterations  
8 to the photograph which change the shape, size, proportion, or color  
9 of a person's face or body, and any changes made to enhance or remove  
10 features of a person's face or body.

11 (3) Advertisements include, but are not limited to, a photograph  
12 that is used to advertise a product, a service, or a brand in print  
13 or by any technological or electronic means, which is intended for or  
14 accessible to the public.

15 (4) For purposes of this section, "photograph" has the same  
16 meaning as in RCW 9.68A.011.

17 (5) (a) The attorney general may bring an action in the name of  
18 the state, or on behalf of persons residing in the state, to restrain  
19 and prevent any act prohibited or declared to be unlawful in this  
20 section.

21 (b) The legislature finds that the practices covered by this  
22 section are matters vitally affecting the public interest for the  
23 purpose of applying the consumer protection act, chapter 19.86 RCW. A  
24 violation of this section is not reasonable in relation to the  
25 development and preservation of business and is an unfair or  
26 deceptive act in trade or commerce and an unfair method of  
27 competition for purposes of applying the consumer protection act,  
28 chapter 19.86 RCW.

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