
SUBSTITUTE HOUSE BILL 1205

State of Washington

69th Legislature

2025 Regular Session

By House Community Safety (originally sponsored by Representatives Ryu, Obras, Cortes, Callan, Pollet, Kloba, and Timmons)

READ FIRST TIME 02/14/25.

1 AN ACT Relating to prohibiting the knowing distribution of a
2 forged digital likeness; and reenacting and amending RCW 9A.60.010
3 and 9A.60.045.

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

5 **Sec. 1.** RCW 9A.60.010 and 2011 c 336 s 381 are each reenacted
6 and amended to read as follows:

7 The following definitions and the definitions of RCW 9A.56.010
8 are applicable in this chapter unless the context otherwise requires:

9 (1) "Complete written instrument" means one which is fully drawn
10 with respect to every essential feature thereof;

11 (2) "Incomplete written instrument" means one which contains some
12 matter by way of content or authentication but which requires
13 additional matter in order to render it a complete written
14 instrument;

15 (3) To "falsely alter" a written instrument means to change,
16 without authorization by anyone entitled to grant it, a written
17 instrument, whether complete or incomplete, by means of erasure,
18 obliteration, deletion, insertion of new matter, transposition of
19 matter, or in any other manner;

20 (4) To "falsely complete" a written instrument means to transform
21 an incomplete written instrument into a complete one by adding or

1 inserting matter, without the authority of anyone entitled to grant
2 it;

3 (5) To "falsely make" a written instrument means to make or draw
4 a complete or incomplete written instrument which purports to be
5 authentic, but which is not authentic either because the ostensible
6 maker is fictitious or because, if real, he or she did not authorize
7 the making or drawing thereof;

8 (6) "Forged digital likeness" means a visual representation of an
9 actual and identifiable individual, or an audio recording of an
10 actual and identifiable individual's voice, which:

11 (a) Has been digitally created, adapted, altered, or modified to
12 be indistinguishable from a genuine visual representation or audio
13 recording of the individual;

14 (b) Misrepresents the appearance, speech, or conduct of the
15 individual; and

16 (c) Is likely to deceive a reasonable person into believing that
17 the visual representation or audio recording is genuine;

18 (7) "Forged instrument" means a written instrument which has been
19 falsely made, completed, or altered;

20 ((+7)) (8) "Visual representation" means any pictorial or motion
21 picture representation, regardless of the media used;

22 (9) "Written instrument" means: (a) Any paper, document, or other
23 instrument containing written or printed matter or its equivalent; or
24 (b) any access device, token, stamp, seal, badge, trademark, or other
25 evidence or symbol of value, right, privilege, or identification.

26 **Sec. 2.** RCW 9A.60.045 and 2004 c 124 s 1 and 2004 c 11 s 2 are
27 each reenacted and amended to read as follows:

28 (1) A person is guilty of criminal impersonation in the second
29 degree if the person:

30 (a)(i) Claims to be a law enforcement officer or creates an
31 impression that he or she is a law enforcement officer; and

32 (ii) Under circumstances not amounting to criminal impersonation
33 in the first degree, does an act with intent to convey the impression
34 that he or she is acting in an official capacity and a reasonable
35 person would believe the person is a law enforcement officer; ((+))

36 (b) Falsely assumes the identity of a veteran or active duty
37 member of the armed forces of the United States with intent to
38 defraud for the purpose of personal gain or to facilitate any
39 unlawful activity; or

1 (c)(i) Knowingly distributes a forged digital likeness of another
2 person as a genuine visual representation or audio recording with
3 intent to defraud, harass, threaten, or intimidate another or for any
4 other unlawful purpose; and

5 (ii) Knows or reasonably should know that the forged digital
6 likeness is not genuine.

7 (2) Criminal impersonation in the second degree is a gross
8 misdemeanor.

9 (3) Nothing in subsection (1)(c) of this section shall be
10 construed to prohibit the distribution of visual representations or
11 audio recordings for matters of cultural, historical, political,
12 religious, educational, newsworthy, or public interest including, but
13 not limited to, use in works of art, commentary, satire, and parody
14 protected by the Washington state Constitution or the United States
15 Constitution.

16 (4) Nothing in subsection (1)(c) of this section shall be
17 construed to impose liability upon the following entities solely as a
18 result of content provided by another person:

19 (a) An interactive computer service, as defined in Title 47
20 U.S.C. Sec. 230(f)(2);

21 (b) A mobile telecommunications service provider, as defined in
22 RCW 82.04.065; or

23 (c) A telecommunications network or broadband provider.

--- END ---