

CERTIFICATION OF ENROLLMENT

ENGROSSED SECOND SUBSTITUTE HOUSE BILL 1170

Chapter 167, Laws of 2026

69th Legislature
2026 Regular Session

ARTIFICIAL INTELLIGENCE—DISCLOSURES—CONTENT PROVENANCE

EFFECTIVE DATE: February 1, 2027

Passed by the House March 11, 2026
Yeas 55 Nays 38

LAURIE JINKINS

**Speaker of the House of
Representatives**

Passed by the Senate March 4, 2026
Yeas 46 Nays 3

DENNY HECK

President of the Senate

Approved March 24, 2026 10:04 AM

BOB FERGUSON

Governor of the State of Washington

CERTIFICATE

I, Bernard Dean, Chief Clerk of the House of Representatives of the State of Washington, do hereby certify that the attached is **ENGROSSED SECOND SUBSTITUTE HOUSE BILL 1170** as passed by the House of Representatives and the Senate on the dates hereon set forth.

BERNARD DEAN

Chief Clerk

FILED

March 25, 2026

**Secretary of State
State of Washington**

ENGROSSED SECOND SUBSTITUTE HOUSE BILL 1170

AS AMENDED BY THE SENATE

Passed Legislature - 2026 Regular Session

State of Washington

69th Legislature

2026 Regular Session

By House Technology, Economic Development, & Veterans (originally sponsored by Representatives Shavers, Taylor, Ryu, Ramel, Fosse, Wylie, Pollet, Ormsby, and Hill)

READ FIRST TIME 01/20/26.

1 AN ACT Relating to informing users when content is developed or
2 modified by artificial intelligence; adding a new chapter to Title 19
3 RCW; adding a new chapter to Title 42 RCW; prescribing penalties; and
4 providing an effective date.

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

6 NEW SECTION. **Sec. 1.** The definitions in this section apply
7 throughout this chapter unless the context clearly requires
8 otherwise.

9 (1) "Artificial intelligence" means the use of machine learning
10 and related technologies that use data to train statistical models
11 for the purpose of enabling computer systems to perform tasks
12 normally associated with human intelligence or perception, such as
13 computer vision, speech or natural language processing, and content
14 generation.

15 (2) "Covered provider" means a person or entity that creates,
16 codes, or otherwise produces a generative artificial intelligence
17 system that has over 1,000,000 monthly users and is publicly
18 accessible within the geographic boundaries of the state to consumers
19 for personal use. "Covered provider" does not include state, local,
20 and tribal governments.

1 (3) "Generative artificial intelligence" means technology that
2 uses machine learning, including deep learning models, natural
3 language processing, or other computational processing techniques of
4 similar or greater complexity, to generate images, audio, or video.

5 (4) "Provenance data" means data that is embedded into digital
6 content or that is included in the digital content's metadata for the
7 purpose of verifying the digital content's authenticity, origin, or
8 history of modification.

9 NEW SECTION. **Sec. 2.** (1) To the extent commercially and
10 technically reasonable, a covered provider shall include provenance
11 data in any video, image, or audio content, or content that is any
12 combination thereof, created or materially altered by the covered
13 provider's generative artificial intelligence system and that is
14 subject to the terms of this chapter. The provenance data must allow
15 a user to assess whether image, video, or audio content, or content
16 that is any combination thereof, was created or materially altered by
17 the covered provider's generative artificial intelligence system.

18 (2) A covered provider must use commercially and technically
19 reasonable methods to make the provenance data difficult to remove or
20 tamper with. The use of a commonly supported technical standard for
21 watermarking or metadata, such as the coalition for content
22 provenance and authenticity specification, for provenance data is
23 considered compliant with this subsection.

24 (3) A covered provider may not be required under this section to
25 include any information relating to an identified or reasonably
26 identifiable individual in provenance data included in content
27 created or content materially altered by the covered provider's
28 generative artificial intelligence system.

29 (4) For the purposes of this section, "materially altered" means
30 a significant change that substantially alters the data in content.
31 "Materially altered" does not include minor modifications that do not
32 lead to significant changes to the perceived content or meaning of
33 the content. Minor modifications include: Changes to brightness,
34 contrast, or color; sharpening; saturating; applying filters;
35 resizing; scaling; cropping; format conversions; resampling;
36 denoising; and removal of background noise in audio.

37 NEW SECTION. **Sec. 3.** (1) Nothing in this chapter may be
38 construed to require the disclosure of a trade secret or confidential

1 or proprietary information about the design or use of an artificial
2 intelligence system.

3 (2) Nothing in this chapter may be construed to apply to any
4 business-to-business uses, sales, licensing, or distribution of
5 generative artificial intelligence systems.

6 NEW SECTION. **Sec. 4.** (1) Any waiver of the provisions of this
7 chapter is contrary to public policy and is void and unenforceable.

8 (2) The attorney general may bring an action in the name of the
9 state, or as parens patriae on behalf of persons residing in the
10 state, to enforce this chapter. For actions brought by the attorney
11 general to enforce this chapter, the legislature finds that the
12 practices covered by this chapter are matters vitally affecting the
13 public interest for the purpose of applying the consumer protection
14 act, chapter 19.86 RCW. For actions brought by the attorney general
15 to enforce this chapter, a violation of this chapter is not
16 reasonable in relation to the development and preservation of
17 business and is an unfair or deceptive act in trade or commerce and
18 an unfair method of competition for purposes of applying the consumer
19 protection act, chapter 19.86 RCW.

20 (3) Only the attorney general can bring an action under the
21 consumer protection act, chapter 19.86 RCW, pursuant to this section.

22 NEW SECTION. **Sec. 5.** (1) This chapter does not apply to any
23 product, service, internet website, or application that provides
24 exclusively video game or interactive experiences including, but not
25 limited to, the sale of goods or services directly to consumers
26 through the internet, allowing customers to browse, select, and
27 purchase items virtually.

28 (2) This chapter does not apply to systems used solely for
29 upscaling, noise reduction, or compression.

30 NEW SECTION. **Sec. 6.** (1) A government agency that makes
31 available an artificial intelligence system intended to interact with
32 consumers must disclose to each consumer, before or at the time of
33 interaction, that the consumer is interacting with an artificial
34 intelligence system. The disclosure must be:

- 35 (a) Clear and conspicuously posted;
36 (b) Written in plain language; and
37 (c) May not use a dark pattern.

1 (2) The disclosure may be provided by using a hyperlink to direct
2 a consumer to a separate web page.

3 (3) An agency is required to make the disclosure under subsection
4 (1) of this section regardless of whether it would be obvious to a
5 reasonable consumer that the consumer is interacting with an
6 artificial intelligence system.

7 (4) For the purposes of this section, "artificial intelligence
8 system" has the same meaning as in section 1 of this act.

9 NEW SECTION. **Sec. 7.** Sections 1 through 5 and 9 of this act
10 constitute a new chapter in Title 19 RCW.

11 NEW SECTION. **Sec. 8.** Section 6 of this act constitutes a new
12 chapter in Title 42 RCW.

13 NEW SECTION. **Sec. 9.** This act takes effect February 1, 2027.

Passed by the House March 11, 2026.

Passed by the Senate March 4, 2026.

Approved by the Governor March 24, 2026.

Filed in Office of Secretary of State March 25, 2026.

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