

1 State of Arkansas
2 95th General Assembly
3 Regular Session, 2025
4

As Engrossed: S2/11/25

A Bill

HOUSE BILL 1071

5 By: Representative R. Scott Richardson
6 By: Senator J. Bryant
7

For An Act To Be Entitled

9 AN ACT TO AMEND THE FRANK BROYLES PUBLICITY RIGHTS
10 PROTECTION ACT OF 2016; TO PROVIDE PROTECTIONS FOR AN
11 INDIVIDUAL WHOSE PHOTOGRAPH, VOICE, OR LIKENESS IS
12 REPRODUCED THROUGH MEANS OF ARTIFICIAL INTELLIGENCE
13 AND USED COMMERCIALY; AND FOR OTHER PURPOSES.
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Subtitle

16 TO AMEND THE FRANK BROYLES PUBLICITY
17 RIGHTS PROTECTION ACT OF 2016; AND TO
18 PROVIDE PROTECTIONS FOR AN INDIVIDUAL
19 WHOSE PHOTOGRAPH, VOICE, OR LIKENESS IS
20 REPRODUCED THROUGH MEANS OF ARTIFICIAL
21 INTELLIGENCE AND USED COMMERCIALY.
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24 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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26 SECTION 1. Arkansas Code § 4-75-1103(3), concerning the definition of
27 "likeness" under the Frank Broyles Publicity Rights Protection Act of 2016,
28 is amended to read as follows:

29 (3) "Likeness" means a reproduction of the image of an individual
30 by any means other than a photograph, including without limitation generation
31 through means of artificial intelligence;
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33 SECTION 2. Arkansas Code § 4-75-1103(5), concerning the definition of
34 "photograph" under the Frank Broyles Publicity Rights Protection Act of 2016,
35 is amended to read as follows:

36 (5) "Photograph" means a reproduction of the image of an



1 individual that readily identifies the individual, ~~whether made by:~~
2 ~~photography, videotape, live transmission, or other means~~

3 (A) Photography;

4 (B) Videotape;

5 (C) Live transmission;

6 (D) Image, video, or three-dimensional generation through
7 means of artificial intelligence; or

8 (E) Other means; and

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10 SECTION 3. Arkansas Code § 4-75-1103, concerning definitions under the
11 Frank Broyles Publicity Rights Protection Act of 2016, is amended to add an
12 additional subdivision to read as follows:

13 (7) "Voice" means a sound in a medium that is readily
14 identifiable and attributable to a particular individual, regardless of
15 whether the sound contains the actual voice or a simulation of the voice of
16 the individual, including without limitation a simulation of the voice of the
17 individual that is generated through means of artificial intelligence.

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19 SECTION 4. Arkansas Code § 4-75-1110(a)(1)(F)(i), concerning exempt
20 use of an individual’s photograph or likeness by a service provider of a
21 system or network under the Frank Broyles Publicity Rights Protection Act of
22 2016, is amended to read as follows:

23 (i) Does not have actual knowledge that a photograph, voice, or
24 likeness on the system or network is in violation of this subchapter; or

25
26 SECTION 5. Arkansas Code § 4-75-1112 is amended to read as follows:

27 4-75-1112. Construction.

28 ~~(a)~~ This subchapter:

29 (1) Shall be liberally construed to accomplish its intent
30 and purposes; and

31 (2) Does not render invalid or unenforceable a contract
32 or license entered into before or after August 22, 2016, by an individual
33 during his or her lifetime by which the individual transferred, assigned, or
34 licensed all or part of the right to use his or her name, voice, signature,
35 photograph, or likeness.

36 ~~(b) The property rights granted by this subchapter are not~~

1 ~~considered intellectual property for purposes of 47 U.S.C. § 230.~~

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/s/R. Scott Richardson

APPROVED: 2/25/25