

MAR 0 8 2024

SENATE RESOLUTION

ENCOURAGING THE UNITED STATES CONGRESS TO PASS THE NURTURE ORIGINALS, FOSTER ART, AND KEEP ENTERTAINMENT SAFE ACT OF 2023 (NO FAKES ACT) AND THE NO ARTIFICIAL INTELLIGENCE FAKE REPLICAS AND UNAUTHORIZED DUPLICATIONS ACT OF 2024 (NO AI FRAUD ACT).

1 WHEREAS, the technology to produce, disseminate, and
2 exploit media content utilizing generative and traditional
3 artificial intelligence has exploded and evolved significantly
4 in recent years; and

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6 WHEREAS, while the technology and tools have evolved, from
7 the earliest parietal paintings to the Sistine Chapel, to the
8 Gutenberg printing press, to Technicolor movies, and to TikTok,
9 artistic expression, creative storytelling, and engaging
10 performances have a common element: human connection; and

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12 WHEREAS, there must be a balance between creative
13 expression and artistic freedom, and protections against
14 exploitation through the use of generative and traditional
15 artificial intelligence; and

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17 WHEREAS, these recent advancements in technology have not
18 only affected artists and creatives, but also other individuals,
19 ranging from high school girls to celebrities, who have been
20 unable to protect their voice and likeness from
21 misappropriation; and

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23 WHEREAS, the State protects a person's or personality's
24 name, image likeness, voice, and signature, collectively, and
25 the rights of publicity, under chapter 482P, Hawaii Revised
26 Statutes, regardless of whether those rights were ever
27 commercially exploited; and

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29 WHEREAS, a bipartisan group of members of the United States
30 Senate have promulgated a discussion draft of legislation that
31 provides protections for human creator, the Nurture Originals,
32 Foster Art, and Keep Entertainment Safe Act of 2023 (NO FAKES
33 Act); and



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WHEREAS, an additional bipartisan group of members of the United States House of Representatives introduced a bill, the No Artificial Intelligence Fake Replicas And Unauthorized Duplications Act of 2024 (No AI FRAUD Act); and

WHEREAS, the State works to protect artists, content creators, and the creative workforce by encouraging jobs for humans; and

WHEREAS, the State also works to protect individuals against artificial intelligence abuse and establish a framework to assert that every individual has a property right to their own likeness and voices; now, therefore,

BE IT RESOLVED by the Senate of the Thirty-second Legislature of the State of Hawaii, Regular Session of 2024, that the United States Congress is encouraged to pass the Nurture Originals, Foster Art, and Keep Entertainment Safe Act of 2023 (NO FAKES Act) and the No Artificial Intelligence Fake Replicas And Unauthorized Duplications Act of 2024 (No AI FRAUD Act) or similar legislation as a safeguard against the exploitation of artists, creative professionals, and individuals by unfettered artificial intelligence technology; and

BE IT FURTHER RESOLVED that certified copies of this Resolution be transmitted to the Speaker of the United States House of Representatives, Minority Leader of the United States House of Representatives, President Pro Tempore of the United States Senate, and Hawaii's congressional delegation.

OFFERED BY: Lynn D. White