

MAR 08 2024

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# SENATE CONCURRENT 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

5  
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

11  
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

28  
29 WHEREAS, a bipartisan group of members of the United States  
30 Senate have promulgated a discussion draft of legislation that



1 provides protections for human creator, the Nurture Originals,  
2 Foster Art, and Keep Entertainment Safe Act of 2023 (NO FAKES  
3 Act); and

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

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

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

18  
19 BE IT RESOLVED by the Senate of the Thirty-second  
20 Legislature of the State of Hawaii, Regular Session of 2024, the  
21 House of Representatives concurring, that the United States  
22 Congress is encouraged to pass the Nurture Originals, Foster  
23 Art, and Keep Entertainment Safe Act of 2023 (NO FAKES Act) and  
24 the No Artificial Intelligence Fake Replicas And Unauthorized  
25 Duplications Act of 2024 (No AI FRAUD Act) or similar  
26 legislation as a safeguard against the exploitation of artists,  
27 creative professionals, and individuals by unfettered artificial  
28 intelligence technology; and

29  
30 BE IT FURTHER RESOLVED that certified copies of this  
31 Concurrent Resolution be transmitted to the Speaker of the  
32 United States House of Representatives, Minority Leader of the  
33 United States House of Representatives, President Pro Tempore of  
34 the United States Senate, and Hawaii's congressional delegation.

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37 OFFERED BY: Lynn DeCote

