

November 5, 2025  
Referral No. 9556

**LOCAL LAW NO. 4 OF 2025  
COUNTY OF ROCKLAND  
STATE OF NEW YORK**

(Introduced by: Hon. Dana G. Stilley)

(Co-Sponsors: Hon. Paul C. Cleary, Hon. Hon. Beth J. Davidson, Hon. Thomas F. Diviny,  
Hon. Toney L. Earl, Hon. Joel Friedman, Hon. Lon M. Hofstein, Hon. Moshe Hopstein,  
Hon. Douglas J. Jobson, Hon. Will J. Kennelly, Hon. Jesse M. Malowitz,  
Hon. Raymond W. Sheridan III, Hon. Alden H. Wolfe, Hon. Itamar J. Yeger,  
Hon. Philip Soskin, Hon. Aney Paul, Hon. Jay Hood, Jr.)

**STILLEY/ENTIRE LEGISLATURE: UNAN.**

A local law making it unlawful to knowingly disseminate or publish digitally deceptive media, falsely depicting a person who may be reasonably identified when the actor knew or should have known the individual depicted did not consent to such dissemination or publication.

Be it enacted by the legislature of the county of Rockland as follows:

**Section 1. Name of local law and codification.**

This local law shall be known as "the Damaging Deepfake Act."

This local law supplements the Laws of Rockland County creating an Article 334, *Safety*, Article I, *Digital deceptive material*, in the manner specified herein:

Article I. Deepfake impersonations

**§ 334-1 Legislative Intent**

Digital replicas, or deepfakes, pose a serious threat to individuals across various sectors, including entertainers, politicians, and private citizens. The ability to manipulate images, videos, and audio recordings using AI technology has made it easier than ever to create deceptive and misleading content. As a result, there is an urgent need for legislation to protect individuals from the potential reputational and livelihood risks posed by unauthorized digital replicas.

While there are existing federal and state laws that touch on issues related to digital replicas, the U.S. Copyright Office has found that these laws are insufficient to fully address the harms associated with deepfakes. The Copyright Act, Federal Trade Commission Act, Lanham Act, and Federal Communications Commission Act, among others, are deemed too narrowly drawn to effectively combat the sophisticated digital replicas created with AI technology.

As technology continues to advance, it is crucial that legal frameworks evolve to protect individuals from the potential risks associated with unauthorized digital replicas. The U.S. Copyright Office's call for federal legislation on AI and deepfakes signals a proactive approach to safeguarding against the misuse of AI technology. By implementing comprehensive measures to address the distribution of unauthorized digital replicas, lawmakers can help mitigate the harmful impact of deepfakes on individuals and society as a whole. Until such time as the state and federal government implement wider measures, the Rockland County Legislature seeks to begin that process by enacting legislation to protect at the local level.

### § 334-2 Definitions

- A. **CONSENT** - Permission that is knowingly, intelligently, and voluntarily given by the subject of the digitally deceptive media, for the creation and dissemination of the particular digitally deceptive media at issue.
- B. **DIGITALLY DECEPTIVE MEDIA** - Any video recording, motion-picture film, sound recording, electronic image, or photograph, or any technological representation of speech or conduct substantially derivative thereof
  - (i) which appears to authentically depict any speech or conduct of an individual who did not in fact engage in such speech or conduct; and
  - (ii) the production of which was substantially dependent upon technical means, rather than the ability of another person to physically or verbally impersonate such person.
- C. **DISSEMINATE** - Shall have the same meaning as in Section 250.40 of the New York State Penal law, or any successor section thereof.
- D. **INDIVIDUAL** - A natural person.
- E. **INTIMATE PART** - The naked genitals, pubic area, anus or female nipple, whether real or digitally produced.
- F. **OBSCENE** - Shall have the same meaning as in Section 235.00 of the New York State Penal law, or any successor section thereof
- G. **PERSON** - A human being, a public or private corporation, an unincorporated association, a partnership, a government or a governmental instrumentality.
- H. **PUBLISH** - Shall have the same meaning as in Section 250.40 of the New York State Penal law, or any successor section thereof.
- I. **SEXUAL CONDUCT** - Shall have the same meaning as in section 130.00 of the New York State Penal Law.

### § 334-3 Unlawful use of digitally deceptive material.

It shall be unlawful for any person:

- A. to knowingly disseminate or publish Digitally Deceptive Media, in which the person depicted may reasonably be identified, with one or more Intimate Parts exposed or engaging in Obscene or Sexual Conduct, where the person publishing or disseminating the digitally deceptive media knew or reasonably should have known that the individual depicted did not consent to such dissemination or publication;
- B. with intent to obtain a benefit, or injure or defraud another, to knowingly disseminate or publish Digitally Deceptive Media depicting another person and ascribing opinions or beliefs without that person's knowledge and consent. A contemporaneous and prominent notification that the media in question is not real or is for entertainment purposes will only be a defense to this subsection.
- C. to commit any act of criminal impersonation prohibited by Sections 190.25 or 190.26 of the New York Penal Law through the use of Digitally Deceptive Media.

**§ 334-4 Penalties.**

- A. A violation of section 4 shall be a Class B misdemeanor, punishable by imprisonment for not more than thirty (30) days or by a fine or not more than five hundred dollars (\$500.00) or both.
- B. Any person who violates section 4 in the course of and/or in furtherance of the commission or attempted commission of another crime shall be guilty of a Class A misdemeanor and shall be punished by imprisonment for not more than a year or by a fine of not more than one thousand dollars (\$1,000.00) or both.
- C. Any person who violates section 4 and has previously been found guilty of a violation of this Chapter within the past ten years shall be guilty of a Class A misdemeanor and shall be punished by imprisonment for not more than a year or by a fine of not more than one thousand dollars (\$1,000.00) or both.
- D. Each separate depiction of an image or recording prohibited by this Article is a separate violation, even if such separate depictions or recordings are found in a single collection of images or recordings.
- E. Each instance of a particular image or recording being disseminated or published, is a separate violation. Multiple disseminations or publications to multiple persons or on multiple platforms are each separate offenses even if initiated simultaneously.

**Section 2. Severability.**

If any word, phrase, clause, sentence, paragraph, section, or part of this chapter shall be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, section, or part thereof directly involved in the controversy in which such judgment shall have been rendered.

**Section 3. Effective date.**

This local law shall take effect immediately upon filing with the New York State Secretary of State.

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ELY  
9/2/25  
9/3/25  
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9/30/25 TH  
10/20/25 ELY  
10/30/2025, 11/6/2025/dmg

