

Disclosure Laws: When AI Content Must Be Labeled

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Across jurisdictions, one regulatory idea is spreading faster than any other: if content is synthetic, say so. Disclosure rules don't ban generation — they ban passing machine output off as human or real. For most organizations this is the AI law most likely to apply to daily work right now.

WHERE LABELS ARE ALREADY REQUIRED

» Political advertising

A growing list of jurisdictions requires clear disclosure on ads containing AI-generated or materially altered depictions of candidates — some ban deceptive ones near elections outright.

» Bots and chat

The EU AI Act and several state laws require that people be told when they're talking to a machine, especially in commerce and persuasion.

» Synthetic media at platform level

Major platforms require creators to flag realistic AI content and apply their own labels; provenance metadata increasingly triggers automatic labeling.

» Sensitive domains

Sexual deepfakes of real people are criminalized in many places regardless of labels; likeness and voice replicas of performers gain statutory protection.

HOW LABELING WORKS TECHNICALLY

Three layers: visible notices (“AI-generated” captions), embedded provenance credentials (C2PA-style signed metadata recording tool, time, and edits), and detection-driven platform labels. Visible notices satisfy most legal duties; embedded credentials make the label durable when files are copied and re-uploaded — which is why provenance is becoming the compliance backbone.

A PRACTICAL COMPLIANCE POSTURE

Inventory where your organization publishes synthetic or AI-assisted media. Adopt a default: label anything a reasonable viewer might mistake for authentic reality. Preserve provenance metadata in your pipeline instead of stripping it. SMI practices this policy on its own AI art — disclosure as habit, not as legal minimum — because trust compounds.

INVESTIGATOR'S TAKEAWAYS

- Disclosure duties are the most immediately applicable AI rules.
- Political synthetic media faces the strictest and fastest-moving requirements.
- Bots must identify themselves in a growing set of jurisdictions.
- Embedded provenance outlasts visible captions across re-uploads.
- Default to labeling anything mistakable for reality.