



October 5, 2026

PA House Committee on Communications & Technology
Pennsylvania State House
501 N. 3rd Street
Harrisburg, PA 17120

Re: SB 806- “An Act Providing For Unfair Methods of Competition And For Enforcement And Penalties” (Oppose)

Dear Members of the House Committee on Communications & Technology:

On behalf of the Computer & Communications Industry Association (CCIA), I write to respectfully oppose SB 806 as currently drafted and urge you to consider alternatives. CCIA is an international, not-for-profit trade association representing a broad cross-section of communications and technology firms.¹

The bill requires clear disclosure when AI-generated or modified content is used in advertisements in PA, with enforcement mechanisms and penalties for noncompliance, including a private right of action. Measures in New York and now California have laws requiring disclosure when synthetic performers are used in an advertisement, but SB 806 is significantly broader and presents at least the following major concerns:

SB 806 has weak knowledge standards

The bill as drafted strikes “knowingly, recklessly or willfully.” As amended, without the previous exemptions (including Section 230 exemptions), CCIA is concerned that liability will fall on intermediaries and platforms despite the intent of the bill to place liability on the responsible person.

SB 806’s unclear definitions make compliance difficult

The definition of “clear and conspicuous” should be amended to allow advertisers more flexibility in terms of compliance. CCIA recommends language allowing advertisers to disclose the statement in a manner that is readily noticeable, reasonable, understandable, and capable of being heard, rather than in a “size, color, contrast, location, duration, and audibility” that is readily noticeable, reasonable, understandable, and capable of being heard. We’d also recommend striking prescriptive requirements about the contents of the disclosure in subsections (2)-(4).

¹ For more than 50 years, CCIA has promoted open markets, open systems, and open networks. CCIA members employ more than 1.6 million workers, invest more than \$100 billion in research and development, and contribute trillions of dollars in productivity to the global economy. A list of CCIA members is available at <https://www.ccianet.org/members>.



Additionally, the definition of “synthetic content” should cover only images, videos, and audio that have been “significantly modified” or generated by AI, not text. Using AI to generate or edit text can be done without risk to those viewing the content.

Furthermore, we suggest including language clarifying that “synthetic content” must be generated or significantly modified by AI “in a manner that would deceive a reasonable person viewing or listening to the content,” in order to scope out minor uses of AI to edit content that would not be deceptive to viewers or listeners.

Private right of action encourages frivolous lawsuits

CCIA strongly urges the removal of the private right of action (PRA) provision. Allowing private litigants to bring actions under the bill will encourage opportunistic litigation and frivolous class action activity. Technology companies operating nationally already face a fragmented and rapidly evolving patchwork of state AI chatbot requirements. A private right of action would open the doors of state courthouses to plaintiffs advancing costly, time-intensive claims based on subjective criteria. The vague definitions and low standards noted above make such lawsuits difficult to adjudicate fairly and consistently.

SB 806's goal should be to prevent genuinely deceptive conduct, not to create outsized liability for inadvertent technical errors. Layering expansive private litigation authority onto these obligations would significantly increase legal uncertainty and compliance costs, particularly for small and medium-sized businesses seeking to deploy AI chatbots responsibly.

The effective date should be extended

The effective date in the proposed bill should be extended to one year instead of just 60 days, to ensure companies, the public, and enforcement agencies have sufficient time to adjust to significantly new standards not seen in other states, and time to develop best practices of guidelines as companies and the public transition to new standards.

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We appreciate your consideration of these comments and stand ready to provide additional information as Pennsylvania considers proposals related to technology policy.

Respectfully submitted,

Kyle J. Sepe
State Policy Manager, Northeast Region
Computer & Communications Industry Association