

1 AN ACT concerning business.

2 **Be it enacted by the People of the State of Illinois,**  
3 **represented in the General Assembly:**

4 Section 5. The Digital Voice and Likeness Protection Act  
5 is amended by changing Section 10 as follows:

6 (815 ILCS 550/10)

7 Sec. 10. Unenforceable agreements.

8 (a) A provision in an agreement between an individual and  
9 any other person for the performance of personal or  
10 professional services is ~~contrary to public policy and is~~  
11 ~~deemed~~ unenforceable only as it relates to a new performance,  
12 fixed on or after January 1, 2026, by a digital replica of an  
13 individual if the provision meets all of the following  
14 conditions:

15 (1) the provision allows for the creation and use of a  
16 digital replica of the individual's voice or likeness in  
17 place of work the individual would otherwise have  
18 performed in person;

19 (2) the provision does not include a reasonably  
20 specific description of the intended uses of the digital  
21 replica; and

22 (3) the individual was not either:

23 (A) represented by legal counsel who negotiated on

1           behalf of the individual licensing his or her digital  
2           replica rights and the licensing terms governing the  
3           use of the applicable digital replica exist in a  
4           written agreement; or

5           (B) represented by a labor union representing  
6           workers who do the proposed work and the terms of the  
7           labor union's ~~individual's~~ collective bargaining  
8           agreement expressly covers uses of digital replicas as  
9           that term is defined in this Act or in the individual's  
10          collective bargaining agreement.

11          (b) The failure to include a reasonably specific  
12          description of the intended uses of a digital replica as  
13          described in paragraph (2) of subsection (a) shall not render  
14          a provision in an agreement unenforceable when the uses of the  
15          digital replica are consistent with the terms of the contract  
16          for the performance of personal or professional services and  
17          the fundamental character of the photography or sound track as  
18          recorded or performed.

19          (c) This Section does not affect any provision of a  
20          contract other than a provision described in subsection (a)  
21          and does not impact, abrogate, or otherwise affect any  
22          exclusivity grants contained in, or related to, a provision  
23          subject to subsection (a).

24          (Source: P.A. 103-830, eff. 8-9-24.)

25          Section 99. Effective date. This Act takes effect January  
26          1, 2026.