

119TH CONGRESS
2D SESSION

H. R. 8323

To amend title 17, United States Code, to establish sovereign ownership rights in unique likeness for U.S. citizens, to protect against unauthorized digital replications and abuses, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

APRIL 16, 2026

Mr. BIGGS of Arizona introduced the following bill; which was referred to the Committee on the Judiciary

A BILL

To amend title 17, United States Code, to establish sovereign ownership rights in unique likeness for U.S. citizens, to protect against unauthorized digital replications and abuses, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Sovereign Ownership
5 of Unique Likeness Act of 2026” or the “SOUL Act of
6 2026”.

1 **SEC. 2. AMENDMENT TO TITLE 17, UNITED STATES CODE.**

2 Title 17, United States Code, is amended by adding
3 at the end the following new chapter:

4 **“CHAPTER 14—SOVEREIGN OWNERSHIP**
5 **OF UNIQUE LIKENESS**

“1401. Definitions.

“1402. Rights granted.

“1403. Exceptions and limitations.

“1404. Remedies and enforcement.

“1405. Preemption and severability.

6 **“§ 1401. Definitions**

7 “In this chapter:

8 “(1) INDIVIDUAL’S UNIQUE LIKENESS.—The
9 term ‘individual’s unique likeness’ means the set of
10 personal traits owned by each U.S. citizen from
11 birth or upon development or acquisition, including:

12 “(A) Name, including full legal name,
13 nicknames, or stage names.

14 “(B) Image, including photographs, videos,
15 digital representations, or any visual depictions.

16 “(C) Likeness, including physical appear-
17 ance, body shape, movements, habits, or style.

18 “(D) Voice, including natural speaking or
19 singing voice and any artificial intelligence-gen-
20 erated reproductions.

21 “(E) Biometric identifiers, including facial
22 geometry, iris patterns, vocal timbre, gait, or
23 fingerprints, when used to replicate or identify

1 an individual for commercial purposes, exclud-
2 ing uses for law enforcement or national secu-
3 rity.

4 “(F) Genetic markers, including DNA se-
5 quences or traits that could be used to replicate
6 or misuse identity in commercial applications,
7 such as artificial intelligence tools, with exemp-
8 tions for medical or research purposes under
9 applicable laws, including the Genetic Informa-
10 tion Nondiscrimination Act of 2008 (42 U.S.C.
11 2000ff et seq.).

12 “(G) Other related traits, including
13 avatars, deepfakes, or digital replicas derived
14 from the elements described in subparagraphs
15 (A) through (F), encompassing artificial intel-
16 ligence-generated identity data. The term
17 ‘unique likeness’ shall be construed broadly to
18 adapt to technological advancements.

19 “(2) DIGITAL REPLICA.—The term ‘digital rep-
20 lica’ means any computer-generated or techno-
21 logically created representation that reproduces or
22 simulates an individual’s unique likeness without au-
23 thorization, including deepfakes or synthetic media.

24 “(3) OWNER.—The term ‘owner’ means the
25 U.S. citizen to whom the unique likeness belongs, or

1 their authorized licensee, heir, or assignee after
2 death.

3 “(4) PLATFORM.—The term ‘platform’ means
4 any interactive computer service as defined in sec-
5 tion 230(f)(2) of the Communications Act of 1934
6 (47 U.S.C. 230(f)(2)) that hosts user-generated con-
7 tent.

8 **“§ 1402. Rights granted**

9 “(a) EXCLUSIVE RIGHTS.—The owner has the exclu-
10 sive right to reproduce, distribute, publicly display, per-
11 form, or create derivative works based on their unique
12 likeness. This prohibits unauthorized digital replicas or
13 synthetic media.

14 “(b) DURATION.—The rights under this chapter en-
15 dure for the life of the individual plus 50 years after death,
16 regardless of commercial exploitation during life.

17 “(c) SCOPE.—These rights apply to U.S. citizens and
18 activities affecting interstate commerce. Rights are in-
19 alienable except through voluntary waiver or license by the
20 owner. Ownership vests automatically without registra-
21 tion.

22 **“§ 1403. Exceptions and limitations**

23 “(a) EXEMPTIONS.—The rights under this chapter do
24 not apply to:

1 “(1) Non-commercial uses qualifying as fair use
2 under section 107 of this title, including parody, sat-
3 ire, caricature, criticism, news reporting, scholarly
4 commentary, transformative artistic works, inci-
5 dental inclusions, or public domain elements.

6 “(2) Government activities, including law en-
7 forcement or national security.

8 “(3) Activities protected by the First Amend-
9 ment to the United States Constitution, consistent
10 with judicial precedents.

11 “(b) NO RETROACTIVE APPLICATION.—This chapter
12 does not affect uses authorized before the effective date.

13 **“§ 1404. Remedies and enforcement**

14 “(a) CIVIL REMEDIES.—An owner may bring a civil
15 action in Federal district court for:

16 “(1) Injunctive relief to prevent or restrain vio-
17 lations.

18 “(2) Takedown orders for unauthorized content.

19 “(3) Actual damages or statutory damages of
20 not less than \$750 nor more than \$30,000 per viola-
21 tion, as the court considers just.

22 “(4) In cases of willful violation, up to
23 \$150,000 in statutory damages. No proof of eco-
24 nomic or reputational harm is required; harm is pre-
25 sumed.

1 “(b) PLATFORM LIABILITY.—A platform is liable if
2 it fails to remove unauthorized content after receiving a
3 valid takedown notice, but may qualify for safe harbor pro-
4 tection if it acts in good faith, consistent with section 512
5 of this title (Digital Millennium Copyright Act).

6 “(c) NO CRIMINAL PENALTIES.—This chapter pro-
7 vides only civil remedies.

8 **“§ 1405. Preemption and severability**

9 “(a) PREEMPTION.—This chapter preempts any
10 State law that provides equivalent rights or remedies for
11 unique likeness, to ensure uniformity.

12 “(b) SEVERABILITY.—If any provision of this chapter
13 is held invalid, the remainder shall not be affected.”.

14 **SEC. 3. EFFECTIVE DATE.**

15 This Act takes effect 90 days after the date of enact-
16 ment.

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