

AI + Marketing Regulatory Tracker

Updated June 2026 | US Federal · EU · State · Industry

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Monthly Regulatory Digest Not legal advice.
Verify all dates before acting.

RECENT DEVELOPMENTS — LAST 30 DAYS (UPDATED JUNE 2, 2026)

NEW ▲ JUNE 2026

June 2, 2026

Trump Signs AI Executive Order — Voluntary 30-Day Pre-Release Review

President Trump signed an executive order on June 2, 2026, asking AI companies to voluntarily submit new models to the government for testing or evaluation 30 days before releasing them to the public. The order directs federal agencies — including the Pentagon, Treasury, and CISA — to shore up cybersecurity defenses for critical infrastructure. A previous draft requested 90 days; industry pushed back and the final version requires only 30 days. The order was signed privately, without the usual public ceremony. It does not impose mandatory pre-release approval.

MARKETER IMPACT:

This order does not create new compliance obligations for marketing organizations. It signals that the regulatory direction in Washington is shifting toward more government oversight of frontier AI — not less. Voluntary today has a track record of becoming mandatory. Monitor whether the review framework expands in scope.

Official source: TechCrunch — Trump Signs Narrower AI Executive Order, June 2, 2026

UPDATED ▲ JUNE 2026

Signed May 14, 2026 — Effective January 1, 2027

Colorado: SB 189 Signed — Original AI Act Repealed and Replaced

Governor Polis signed SB 189 on May 14, 2026, repealing and replacing the original Colorado AI Act (SB 24-205). The new law shifts from regulating 'high-risk AI systems' to 'automated decision-making technology' (ADMT) that processes personal data to materially influence consequential decisions. Bias audit and risk impact assessment requirements are eliminated. The new framework focuses on consumer disclosures, post-adverse-outcome explanations, correction rights, and meaningful human review. Key addition: a new provision voids contract clauses purporting to indemnify a party for its own discriminatory ADMT-related acts — requiring immediate review of AI vendor contracts. xAI has until June 11 to file a new preliminary injunction motion against SB 189.

MARKETER IMPACT:

The original June 30, 2026 enforcement deadline is now moot — the original law has been repealed. Drop the bias audit and impact assessment workstreams. Maintain preparation for the core transparency obligations effective January 1, 2027: consumer notice before AI-influenced consequential decisions, post-adverse-outcome explanations, correction rights, human review on request. URGENT: Review AI vendor contracts for indemnification clauses covering discriminatory ADMT acts — the new law voids them. Watch June 11 for xAI's injunction filing.

Official source: Wilson Sonsini, Davis Wright Tremaine, Holland & Knight — SB 189 Analysis, May 2026

IMMINENT

Effective June 9, 2026 — 7 DAYS

New York: AI Synthetic Performers Disclosure Law — IMMINENT

New York's AI Synthetic Performers Disclosure Law (S.8420-A) takes effect June 9, 2026 — one week from today. Any ad featuring a digitally-created 'synthetic performer' — an AI-generated human-like figure not based on a real identifiable person — shown to New York consumers requires conspicuous disclosure. Penalties: \$1,000 per first violation, \$5,000 for subsequent violations. A companion right-of-publicity bill requires consent from heirs or executors for commercial use of a deceased person's likeness.

MARKETER IMPACT:

7 days. If your brand runs ads featuring AI-generated models, spokespeople, or background performers shown to New York consumers and you do not yet have a disclosure mechanism in place, this is your final warning. The law does not specify format; visible on-screen text is the safe default. Review all creative in the pipeline now.

Official source: nysenate.gov — S.8420-A (2025)

FTC & FEDERAL GUIDANCE

IN FORCE

Ongoing — updated March 2026

FTC 'Operation AI Comply' — Active Enforcement

Operation AI Comply continues under the current administration. The Growth Cave case settled for \$48.6 million over deceptive AI capability claims. The Air AI case (deceptive claims about autonomous AI sales agents) remains pending. Core enforcement focus: performance and efficacy claims, AI-washing in marketing materials.

MARKETER IMPACT:

The \$48.6M settlement scale underlines that enforcement has moved beyond warning letters. Vendor-supplied marketing language you repeat about AI capabilities is an active enforcement target. Review all AI product claims before regulators do.

Official source: beneschlaw.com — FTC Operation AI Comply (2026 update)

IN FORCE

January 2026

FTC Consumer Review Rule — Active Enforcement Phase

The FTC has issued warning letters for potential violations of the Consumer Review Rule, which bans fake, incentivised, or undisclosed AI-generated reviews. Tying employee compensation to specific review sentiment is prohibited. AI-generated reviews require disclosure.

MARKETER IMPACT:

AI-generated testimonials and reviews are squarely in scope. Enforcement is in penalty phase, not education phase.

Official source: ftc.gov — Consumer Review Fairness Rule

EU AI ACT

IN FORCE

August 2, 2025

EU AI Act: GPAI Model Obligations In Force (Unchanged)

Obligations for General-Purpose AI model providers are active and unaffected by the Digital Omnibus. Foundation models must maintain technical documentation, publish training data summaries, and establish copyright compliance policies.

MARKETER IMPACT:

Request model cards and training data summaries from AI creative and content vendors before contract renewal. These obligations predate the Omnibus and are not extended.

Official source: digital-strategy.ec.europa.eu — Guidelines for GPAI Providers

UPCOMING

December 2, 2026

EU AI Act: Article 50 Transparency Obligations

AI chatbots must disclose they are AI to users. AI-generated content — including synthetic audio, images, video, and text — must carry machine-readable labeling. Deepfakes and AI-generated public-interest content must carry visible labels. The Digital Omnibus reduced the grace period from 6 months to 3 months, setting this deadline at December 2, 2026.

MARKETER IMPACT:

This is the most marketing-relevant EU AI Act deadline. AI chatbots, synthetic creative, and AI-personalized offers for EU consumers require transparency compliance by December 2. Prepare now — this is 6 months away.

Official source: consilium.europa.eu — Digital Omnibus Provisional Agreement, May 7, 2026

UPCOMING*December 2, 2027 / August 2, 2028***EU AI Act: High-Risk System Obligations — Extended by Digital Omnibus**

Conformity assessments, bias testing, technical documentation, and human oversight requirements for Annex III high-risk systems (including employment-adjacent AI) now apply from December 2, 2027 (stand-alone) and August 2, 2028 (embedded in regulated products).

MARKETER IMPACT:

Reprioritize but do not abandon Annex III compliance workstreams. Use the extended timeline to build proper governance infrastructure rather than delay. The documentation gap between what vendors can provide and what compliance requires remains real.

Official source: consilium.europa.eu — Digital Omnibus Provisional Agreement, May 7, 2026

IN FORCE*February 2, 2025***EU AI Act: Prohibited Practices**

Banned since February 2025: subliminal manipulation, exploitation of psychological vulnerabilities in advertising, AI-based social scoring, and certain biometric categorization for ad targeting. Omnibus adds prohibition on AI nudification tools.

MARKETER IMPACT:

Dark-pattern AI optimization and emotion-detection in advertising may constitute prohibited practices for EU audiences.

Official source: artificialintelligenceact.eu — Article 5

US STATE LAWS**IN FORCE***Effective January 1, 2026***California: AB 2013 — Generative AI Training Data Transparency**

Developers of generative AI systems used in California must publicly post training data details including sources, collection methods, and personal data use.

MARKETER IMPACT:

Check AB 2013 compliance documentation for California-facing AI vendors. Lack of transparency docs is a procurement red flag.

Official source: leginfo.legislature.ca.gov — AB-2013

UPDATED ▲ JUNE 2026*Effective January 1, 2027***Colorado: SB 189 ADMT Framework — Signed May 14**

Colorado's new Automated Decision-Making Technology law takes effect January 1, 2027. Covers ADMT that materially influences consequential decisions (employment, housing, healthcare, financial services, insurance). Requires: advance notice to consumers before AI-influenced decisions, post-adverse-outcome explanations, correction rights, human review on request, 3-year record retention. Eliminates original law's bias audit and impact assessment requirements. No private right of action — AG enforcement only. xAI preliminary injunction motion due by June 11.

MARKETER IMPACT:

The original June 30 deadline is gone. Maintain preparation for the transparency obligations effective January 1, 2027. Audit AI vendor contracts for indemnification clauses — SB 189 voids those covering discriminatory ADMT acts. Watch for xAI injunction filing by June 11.

Official source: Colorado General Assembly — SB26-189; Wilson Sonsini, Davis Wright Tremaine Analysis

IN FORCE*Effective January 1, 2026***Texas: Responsible AI Governance Act (TRAIGA)**

Intent-based liability for private sector AI use in consumer-facing contexts. Lighter compliance burden than Colorado, but documented AI governance still matters.

MARKETER IMPACT:

Keep records of AI policy decisions for Texas-facing campaigns. Knowing misuse is harder to defend.

Official source: capitol.texas.gov — HB 1709 (TRAIGA)

IN FORCE*Effective January 1, 2026***Illinois: AI Employment Discrimination Amendment (H.B. 3773)**

AI-driven discrimination in employment decisions explicitly covered by the Illinois Human Rights Act. Applies to AI recruitment advertising and platforms screening job applicants from ad-driven traffic.

MARKETER IMPACT:

Audit programmatic job advertising using AI audience optimization in Illinois.

Official source: ilga.gov — HB 3773

INDUSTRY SELF-REGULATION**INDUSTRY***January 2026***IAB: AI Transparency and Disclosure Framework**

Risk-based, materiality-driven disclosure framework: required when AI materially affects authenticity, identity, or representation in ways that could mislead consumers. The December 2, 2026 EU AI Act transparency deadline aligns closely with where this framework points.

MARKETER IMPACT:

If your AI use could mislead a reasonable consumer about who or what they are engaging with, label it. Adopt this framework now as a baseline for December 2026 EU compliance.

Official source: iab.com — AI Transparency and Disclosure Framework

KEY DATES AHEAD — JUNE 2026 UPDATE

DATE	EVENT	STATUS
Jun 9, 2026	NY Synthetic Performers Disclosure — IN EFFECT	7 DAYS. All ads featuring AI-generated performers shown to NY consumers require disclosure
Jun 11, 2026	xAI preliminary injunction deadline — Colorado SB 189	xAI must file new injunction motion by this date or SB 189 stands as written
Aug 2, 2026	EU AI Act: GPAI enforcement powers fully active	GPAI documentation obligations already in force since Aug 2025; full enforcement now active
Dec 2, 2026	EU AI Act: Article 50 transparency — AI content labeling	AI chatbot disclosure + AI-generated content labeling for EU consumers
Jan 1, 2027	Colorado SB 189 ADMT framework effective	Consumer notice, explanations, correction rights, human review, 3-year records (subject to xAI challenge)
Aug 2, 2027	EU AI Act: Regulatory sandbox deadline	Extended by Omnibus agreement
Dec 2, 2027	EU AI Act: High-risk stand-alone systems	Conformity assessments, bias testing, technical documentation for employment-adjacent AI
Aug 2, 2028	EU AI Act: High-risk AI in regulated products	AI embedded in medical devices, machinery, vehicles