

AI + Marketing Regulatory Tracker

October 2026

Complete reference covering all active and upcoming AI regulations relevant to marketing and advertising. Updated monthly. Not legal advice - verify with qualified counsel for your specific situation and jurisdiction.

From [Guardrails: How To Embrace AI in Your Business Without Damaging Your Brand](#) by Craig McDonogh (October 2026).

EUROPEAN UNION

Regulation	Jurisdiction	In Force	Status	Marketing Impact
EU AI Act: Article 50 — Chatbot Disclosure	EU / EEA + any org serving EU users	2 Aug 2026	IN FORCE	All AI chatbots and virtual assistants must disclose to users they are interacting with AI - before meaningful engagement. Applies to any brand's customer-facing AI regardless of where the brand is incorporated.
EU AI Act: Article 50 — AI Content Transparency (new deployments)	EU / EEA + any org serving EU users	2 Aug 2026	IN FORCE	AI-generated images, video, audio, and text that could mislead must carry machine-readable C2PA watermarking. Applies immediately to content deployed after August 2. Includes paid and organic social content.
EU AI Act: Article 50 — Watermarking (pre-Aug tools, grace period)	EU / EEA + any org serving EU users	2 Dec 2026	DEC 2026	AI tools already in use before August 2 have until December 2 to implement watermarking. Eight weeks remain as of October 1. Implement C2PA-compliant watermarking now or add visible disclosure labels as interim measure.
EU AI Act: Article 50 — Non-consensual AI Intimate Imagery Prohibition	EU / EEA	2 Dec 2026	DEC 2026	From December 2, generating or distributing non-consensual AI-generated intimate imagery becomes a specific EU AI Act violation with its own enforcement pathway. Audit any generative image tools in your stack.
EU AI Act: GPAI Systemic Risk — Monthly Risk Evaluations	EU / EEA — frontier model providers	2 Aug 2026	IN FORCE	Providers of models above 10^{25} FLOPs training threshold file monthly systemic risk evaluations with EU AI Office. If your vendor is in scope, confirm they are filing. Non-filing is an enforcement risk that flows to your deployments.
EU AI Act: Annex III High-Risk AI Obligations (Omnibus deferral)	EU / EEA	2 Dec 2027	2027+	Employment, credit, education, and housing AI bias audit and conformity assessment requirements deferred to December 2027. Build your audit readiness program now - three years is not as long as it sounds at this pace.

UNITED STATES — FEDERAL

Regulation	Jurisdiction	In Force	Status	Marketing Impact
Take It Down Act — Non-consensual AI Intimate Imagery	US Federal	19 May 2026	IN FORCE	Platforms must remove non-consensual AI-generated intimate imagery within 48 hours of verified complaint. If your brand runs a content platform or UGC environment, confirm you have a compliant NCII removal process.
FTC Act — AI Deceptive Practices Enforcement	US Federal	Ongoing	IN FORCE	FTC continues enforcement under existing authority: deceptive AI capability claims, undisclosed AI in consumer interactions, algorithmic pricing. No new law required. Marketing AI claims must be accurate and verifiable.
White House AI Evaluation Framework	US Federal	Aug 2026 (secret)	VOLUNTARY	Secret, voluntary framework - not published, no mandatory compliance obligation. Do not base vendor decisions on this. Build your own vendor evaluation criteria.

UNITED STATES — STATE LAWS

Regulation	Jurisdiction	In Force	Status	Marketing Impact
California SB 53 — Transparency in Frontier AI Act	California	1 Jan 2026	IN FORCE	Large frontier AI developers must publish AI safety and security frameworks, report safety incidents, and provide transparency disclosures. Affects your assessment of frontier model vendors - ask for their published safety framework.
California AB 1013 — AI Training Data Disclosure	California	1 Jan 2026	IN FORCE	AI system developers must disclose training data used in their systems to California users. Ask your AI vendors for training data disclosure documentation. This is now a standard vendor due-diligence question.
California SB 1000 — CAITA Amendments: Whistleblower + AEDT + Synthetic Content	California	1 Oct 2026	NEW OCT	Three obligations from October 1: (1) Whistleblower protections for frontier AI developer employees; (2) AEDT rules for AI in hiring, performance, and promotion affecting California employees; (3) Synthetic content disclosure for covered AI content providers. AEDT compliance requires action today if you use AI in employment decisions.
California SB 243 — Companion Chatbot Safety	California	Signed Sep 2026	IN FORCE	AI companion chatbots must include specific safety features and disclosures. If your brand deploys AI companions, virtual advisors, or persistent AI relationship tools for California users, review compliance requirements.

Regulation	Jurisdiction	In Force	Status	Marketing Impact
California SB 813 / AB 1405 — AI Auditor Registry	California	Registry: 1 Jan 2029	COMING	IVO criteria set by Jan 2028; auditor registry live Jan 2029. After 2029, only registered auditors can conduct covered AI audits. Build audit-readiness into vendor procurement now — a vendor who can't support audit in 2029 is a vendor risk today.
New York Synthetic Performers Disclosure Law (SB S8420A)	New York	9 Jun 2026	IN FORCE	Advertisers must disclose when ads shown to NY consumers contain synthetic performers (AI-generated human likenesses). Penalty: \$1,000 first violation, \$5,000 subsequent. Audit all creative using AI-generated human visual talent in NY campaigns.
New York RAISE Act — Frontier AI Safety & Education	New York	2026 (enacted)	IN FORCE	Large frontier AI developers must create and publish AI safety and security frameworks, report safety incidents, and provide transparency disclosures — New York complement to California's SB 53. Adds NY to the mandatory disclosure framework.
Connecticut AIRT Act — AI Responsibility & Transparency (Phase 1)	Connecticut	1 Oct 2026	NEW OCT	Phase 1 in force: transparency and accountability for AI in consequential decisions. Phase 2 (Oct 2027) and Phase 3 (Jul 2027) add more categories. Connecticut joins the multi-state compliance matrix - add it to your state tracking if you serve CT consumers.
Colorado SB 189 — Automated Decision-Making Technology (ADMT)	Colorado	1 Jan 2027	COMING	Disclosure and consumer rights framework for automated decision-making affecting Colorado consumers. Replaces original Colorado AI Act bias audit obligations with a transparency-first approach. Void any vendor contract clause indemnifying discriminatory ADMT acts - those clauses are already unenforceable in Colorado.
Illinois HB 3773 — AI in Employment Decisions	Illinois	In force	IN FORCE	Employers must notify Illinois employees and applicants when AI is used in employment decisions, provide opportunity to request human review, and cannot use AI to discriminate based on protected characteristics. Covers recruitment, screening, and evaluation tools.
Texas TRAIGA — Responsible AI Governance Act	Texas	In force	IN FORCE	Prohibits developing AI to incite self-harm or criminal activity, social scoring by government entities, and generating CSAM. Penalties: \$10,000–\$200,000 per violation with 60-day cure period. Covers AI tools used in Texas operations.
Utah AI Policy Act (SB 149)	Utah	In force	IN FORCE	Requires disclosure when AI is used in regulated industries including legal, financial, and health services. If your marketing AI touches these sectors for Utah consumers, disclosure is required. Applies to AI-generated consumer communications.

Regulation	Jurisdiction	In Force	Status	Marketing Impact
Chatbot Disclosure Laws — 12 States by 2027	CA, NH, NY now; 9 more states 2027	CA/NH/NY: in force; others: 2027	IN FORCE	California, New Hampshire, and New York require chatbot disclosure now. Colorado, Connecticut, Georgia, Hawaii, Idaho, Iowa, Nebraska, Oregon, and Washington add requirements in 2027. Build a single disclosure standard meeting the most stringent state requirements - it's the most efficient compliance approach.
State AG AI Enforcement — No Federal Preemption	CO, CA, IL, TX, NY, UT + others	Ongoing	IN FORCE	No federal preemption of state AI laws has been enacted as of October 2026. All active state AI laws remain enforceable. State AGs retain full enforcement authority under UDAP statutes regardless of the federal executive order. Maintain a per-state compliance matrix.

CHINA

Regulation	Jurisdiction	In Force	Status	Marketing Impact
Cybersecurity Law AI Amendments	China (all China operations)	1 Jan 2026	IN FORCE	Mandatory incident reporting within 24 hours of security incidents. Algorithm adjustment instructions from regulators must be implemented immediately. Fines up to RMB 10 million for entities. Any AI system operating in China or serving Chinese users is subject.
Interim Measures for AI Anthropomorphic Interactive Services (Companion AI)	China (all China operations)	15 Jul 2026	IN FORCE	Covers AI systems simulating human emotional interaction including childcare, elderly companion, and social AI. 12 companies fined 4.2 million RMB within the first week of enforcement. Brands operating companion or wellness AI features for Chinese users must confirm compliance.
WAICO — World AI Cooperation Organization	29 member states (no Western democracies)	Jul 2026 (founded)	MONITOR	No enforcement mechanism currently. Primarily a geopolitical signal. If your brand operates in WAICO member markets (Brazil, Russia, Indonesia, Pakistan, Cuba, Venezuela, others), monitor whether WAICO standards diverge from EU/US requirements and build a multi-jurisdiction compliance matrix.

UNITED KINGDOM

Regulation	Jurisdiction	In Force	Status	Marketing Impact
UK AI Regulation and Safety Bill	United Kingdom	~Oct 2026 (Royal Assent expected)	COMING	Once enacted, triggers mandatory safety data sharing requirements for foundation model developers operating in the UK. Risk-based, more innovation-friendly than EU AI Act but with binding safety reporting. Confirm your frontier model vendors' UK compliance posture before year-end.