

A monthly digest of regulations, guidance, and industry standards affecting the use of AI in marketing and advertising.

Covers: FTC & Federal | EU AI Act | US State Laws | Industry Self-Regulation | All entries include official source links.

RECENT DEVELOPMENTS — LAST 30 DAYS

GUIDANCE

NEW THIS MONTH

March 20, 2026

White House Releases National AI Policy Framework Blueprint

The White House released a legislative blueprint calling on Congress to enact a national AI framework that would preempt conflicting state AI laws. The blueprint reinforces Trump's December 2025 executive order directing the AG to challenge state regulations through an AI Litigation Task Force, and conditions \$42 billion in BEAD broadband funding on states repealing AI laws deemed 'burdensome.' The FTC's March 11 policy statement on AI and Section 5 was issued in parallel under the same executive order directive.

MARKETER IMPACT:

State-level compliance obligations — Colorado, Illinois, New York, Texas — remain fully enforceable while this plays out. Federal preemption takes years of litigation. Do not pause state compliance work based on the framework blueprint; it is aspirational legislation, not current law.

Official source: [whitehouse.gov](https://www.whitehouse.gov) — [National AI Policy Framework](#)

UPCOMING

NEW THIS MONTH

March 13 & 26, 2026

EU Digital Omnibus: Council and Parliament Both Adopt Positions on AI Act Amendments

The European Council (March 13) and Parliament (March 26) each adopted their positions on the Digital Omnibus, which proposes significant changes to EU AI Act enforcement timelines. The proposals would extend the August 2, 2026 transparency deadline to February 2027 (Council) or November 2026 (Parliament) for AI-generated content watermarking. High-risk AI system deadlines would be pushed to December 2027 and August 2028. Trilogue negotiations between the institutions began with a target agreement date of April 28, 2026.

MARKETER IMPACT:

The August 2, 2026 deadline for AI transparency labelling (chatbots, synthetic content, deepfakes) may slip — but it is not confirmed delayed until the Digital Omnibus is formally adopted. Treat August 2 as live until told otherwise. The safe play: prepare for August 2 compliance and treat any extension as a bonus.

Official source: addleshawgoddard.com — [Digital Omnibus AI Update](#)

FTC & FEDERAL GUIDANCE

IN FORCE

Ongoing — updated March 2026

FTC 'Operation AI Comply' — Enforcement Continues Under New Administration

The FTC's 'Operation AI Comply' enforcement initiative — targeting deceptive AI marketing claims — is continuing under the current administration, despite the lighter-touch approach signalled by the Rytr reversal. The Air AI case (deceptive claims about autonomous AI sales agents) remains pending. A case against Growth Cave was resolved January 27, 2026. Core enforcement focus: performance and efficacy claims, AI-washing in marketing materials, and deceptive income/earnings projections tied to AI tools.

MARKETER IMPACT:

Deceptive claims about what your AI tools can do — including vendor-supplied marketing language you repeat — remain an active enforcement target. Review all AI product claims in your own marketing before regulators do it for you.

Official source: beneschlaw.com — [FTC Operation AI Comply \(2026 update\)](#)

IN FORCE

January 2026

FTC Consumer Review Rule — Active Enforcement Phase

The FTC issued warning letters to 10 companies for potential violations of the Consumer Review Rule, which bans fake, incentivised, or undisclosed AI-generated reviews. The rule also prohibits tying employee compensation to specific review sentiment and requires disclosure when employees or AI systems author reviews.

MARKETER IMPACT:

AI-generated testimonials and reviews are squarely in scope. Any campaign using AI to generate customer-facing social proof must include clear disclosure. Enforcement letters signal the FTC has moved from education to penalty phase.

Official source: [ftc.gov — Consumer Review Fairness Rule](https://www.ftc.gov/consumer-review-fairness-rule)

IN FORCE

Ongoing (updated 2023, enforced 2024+)

FTC Endorsement Guidelines — AI and Influencer Applicability

The FTC's updated Endorsement Guides explicitly address AI-generated endorsements and virtual influencers. Material connections between brands and AI-generated personas must be disclosed. The guides cover social media, native advertising, and sponsored content regardless of whether a real human or AI persona is involved.

MARKETER IMPACT:

AI influencers, synthetic spokespeople, and AI-assisted testimonial generation all require FTC-compliant disclosure language. 'Paid partnership' alone may be insufficient if the persona itself is AI-generated.

Official source: [ftc.gov — Endorsement Guides: What People Are Asking](https://www.ftc.gov/endorsement-guides-what-people-are-asking)

GUIDANCE

December 22, 2025

FTC Sets Aside Rytr AI Consent Order — Signals Policy Shift

The FTC reopened and set aside its 2024 consent order against Rytr LLC (an AI writing tool), concluding the original complaint failed to meet legal requirements under the FTC Act and placed undue burden on AI innovation. This reflects a lighter-touch approach under the current Commission composition.

MARKETER IMPACT:

The Rytr reversal suggests the FTC under current leadership is recalibrating enforcement to avoid over-restricting AI tools. However, the March 2026 Section 5 statement confirms the agency retains its deceptive practices authority for genuinely misleading AI applications.

Official source: [ftc.gov — Rytr LLC Case Proceedings](https://www.ftc.gov/rytr-llc-case-proceedings)

EU AI ACT

IN FORCE

August 2, 2025

EU AI Act: GPAI Model Obligations Now In Force

Obligations for providers of General-Purpose AI (GPAI) models are now active. Any AI model trained on 10²³+ FLOPs capable of generating text, audio, images, or video must maintain technical documentation, publish a training data summary, and establish a copyright compliance policy. The EU AI Office can request documentation, though full enforcement powers begin August 2026.

MARKETER IMPACT:

If your martech stack includes foundation models (image generation, copywriting AI, synthetic video), your vendors should already have GPAI compliance documentation. Request model cards and training data summaries before renewing contracts.

Official source: [digital-strategy.ec.europa.eu — Guidelines for GPAI Providers](https://digital-strategy.ec.europa.eu/en/guidelines-for-gpai-providers)

UPCOMING

August 2, 2026 (Digital Omnibus may extend)

EU AI Act: Full Enforcement and Transparency Rules — August 2 Deadline Under Review

The majority of EU AI Act rules are due to enter full enforcement on August 2, 2026. Transparency obligations mandate disclosure when consumers interact with AI chatbots or AI-generated content; deepfake and AI-generated public-interest content must carry visible labels. However, the Digital Omnibus (see Recent Developments) proposes extending the watermarking/labelling deadline to November 2026 or February 2027. The August 2 date remains live until the Omnibus is formally adopted — trilogue negotiations are targeting an agreement by April 28, 2026.

MARKETER IMPACT:

AI chatbots, synthetic creative, and AI-personalised offers may all trigger transparency labelling requirements for EU consumers. Prepare for August 2 compliance and treat any Digital Omnibus extension as a bonus, not a plan.

Official source: artificialintelligenceact.eu — [Implementation Timeline](#)

IN FORCE

February 2, 2025

EU AI Act: Prohibited AI Practices Banned Since February 2025

Prohibited practices under the EU AI Act have been banned since February 2025. These include: subliminal manipulation techniques that bypass conscious awareness, exploitation of psychological vulnerabilities in advertising, AI-based social scoring of consumers, and certain forms of biometric categorisation for ad targeting.

MARKETER IMPACT:

Psychological-profiling-based ad targeting, dark-pattern AI optimisation, and emotion-detection in advertising may all constitute prohibited practices for EU audiences. Legal review of targeting methodology is essential before EU campaigns.

Official source: artificialintelligenceact.eu — [Article 5 \(Prohibited Practices\)](#)

US STATE LAWS

EFFECTIVE SOON

Effective June 9, 2026

New York: AI Synthetic Performers Disclosure Law (S.8420-A)

New York becomes the first US state to require conspicuous disclosure whenever a digitally-created 'synthetic performer' — an AI-generated human-like figure not based on a real identifiable person — appears in a commercial advertisement. Penalties: \$1,000 per first violation, \$5,000 for subsequent violations. Exemptions apply for audio-only ads and expressive works.

MARKETER IMPACT:

Any ad featuring an AI-generated model, spokesperson, or background performer shown to New York consumers requires a disclosure. The law does not specify format; plan for visible on-screen text. Review UGC and influencer campaigns using AI face generation.

Official source: nysenate.gov — [S.8420-A \(2025\)](#)

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 detailed information about the datasets used to train their models, including data sources, collection methods, and whether personal data was included. Applies to systems generating text, images, audio, or video for commercial use.

MARKETER IMPACT:

California-facing AI creative tools and martech platforms must now publish training data disclosures. When evaluating AI vendors, check their AB 2013 compliance documentation. Lack of transparency docs is a procurement red flag.

Official source: leginfo.legislature.ca.gov — [AB-2013](#)

EFFECTIVE SOON

Effective June 30, 2026 — amendment pending

Colorado: Artificial Intelligence Act — June 30 Deadline Stands; Amendment Bill Proposed

Colorado's first-in-nation comprehensive AI law (SB 24-205) requires deployers of high-risk AI systems to conduct impact assessments and avoid algorithmic discrimination. After a special session in August 2025 delayed implementation to June 30, 2026, the Governor's AI Policy Working Group released a proposed amendment bill on March 17, 2026 (St. Patrick's Day) to ease the Act's requirements. The bill has not yet been introduced in the legislature. Absent a formal amendment, the original law takes effect June 30.

MARKETER IMPACT:

Do not assume the proposed amendments will pass in time. Compliance preparation for AI-driven targeting, dynamic pricing, and lead scoring tools used in Colorado should be underway now. The Unfair Trade Practices framing gives the AG meaningful enforcement teeth.

Official source: [hunton.com — Colorado AI Act Enforcement Delay](https://www.hunton.com/en-us/newsletters/colorado-ai-act-enforcement-delay)

IN FORCE

Effective January 1, 2026

Texas: Responsible AI Governance Act (TRAIGA)

TRAIGA focuses primarily on state agency AI use with a lighter-touch approach for the private sector. Private companies face intent-based liability with prohibitions and safe harbors rather than affirmative compliance mandates. Strongest obligations apply to government agencies, but private sector entities using AI in consumer-facing contexts are not exempt.

MARKETER IMPACT:

Lower compliance burden than Colorado, but the intent-based framing means documented AI governance is still important. Knowing misuse is harder to defend — keep records of AI policy decisions for Texas-facing campaigns.

Official source: [capitol.texas.gov — HB 1709 \(TRAIGA\)](https://www.capitol.texas.gov/legislation/house/bills/1700-1799/1709)

IN FORCE

Effective January 1, 2026

Illinois: AI Employment Discrimination Amendment (H.B. 3773)

Illinois amended its Human Rights Act to explicitly cover AI-driven discrimination in employment decisions including hiring, firing, discipline, tenure, and training. Directly relevant for marketing teams deploying AI recruitment advertising or platforms that use AI to screen job applicants from ad-driven traffic.

MARKETER IMPACT:

AI-driven job advertising and candidate targeting (e.g., excluding demographics from seeing job ads) falls under this law. Audit any programmatic job advertising that uses AI audience optimization in Illinois.

Official source: [ilga.gov — HB 3773 \(Illinois General Assembly\)](https://www.ilga.gov/legislation/house/bills/3700-3799/3773)

INDUSTRY SELF-REGULATION

INDUSTRY

January 2026

IAB: AI Transparency and Disclosure Framework

The Interactive Advertising Bureau released the industry's first AI Transparency and Disclosure Framework. The framework takes a risk-based, materiality-driven approach: disclosure is required only when AI materially affects authenticity, identity, or representation in ways that could mislead consumers. Routine production tasks can proceed without disclosure.

MARKETER IMPACT:

The materiality test gives brands a practical filter: if your AI use could mislead a reasonable consumer about who or what they are engaging with, label it. Adopt this framework now to get ahead of what will likely become a regulatory baseline.

Official source: [iab.com — AI Transparency and Disclosure Framework](https://www.iab.com/ai-transparency-and-disclosure-framework)

UPCOMING

2026 (in development)

IAB Tech Lab: Agentic Advertising Protocol Standards

IAB Tech Lab is developing Agentic Protocol SDKs to lay the foundation for AI agent-to-agent advertising transactions — where AI buying agents interact with AI selling agents without human involvement in individual decisions. The initiative will establish consent, identity, and attribution standards for agentic ad-buying.

MARKETER IMPACT:

As programmatic buying becomes increasingly agentic, new consent and data-use frameworks will apply. Monitor IAB Tech Lab developments before deploying fully autonomous AI campaign management tools.

Official source: iabtechlab.com — [Agentic Advertising and AI](#)

INDUSTRY

Ongoing

NAI: AI Data Use Principles for Interest-Based Advertising

The Network Advertising Initiative Code of Conduct includes provisions on the use of AI and automated decision-making in interest-based advertising. Members must provide enhanced notice when AI is used for sensitive data inferences and must honor opt-out signals in AI-driven targeting environments including non-cookie contexts.

MARKETER IMPACT:

NAI membership and compliance is increasingly used as a trust signal by publishers and DSPs. AI-driven lookalike modelling and predictive audience expansion tools must be mapped against NAI data use limitations.

Official source: thenai.org — [NAI Code of Conduct](#)

KEY DATES AHEAD

Jun 9, 2026: NY Synthetic Performers Disclosure in effect | Jun 30, 2026: Colorado AI Act deployer obligations begin

Aug 2, 2026: EU AI Act full enforcement (may extend to Nov 2026–Feb 2027 if Digital Omnibus adopted by ~Apr 28)