



# Prohibiting AI Election Interference

*Proposal for Draft Legislation | Sen. Balderree*

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## OBJECTIVE

Prohibited the use of AI-generated deepfakes in political advertisements immediately before an election.

## POLICY OUTLINE

### Definition

Define "Prohibited political deepfake" as media that is:

- produced by artificial intelligence;
- so realistic a reasonable person would believe it is real; and
- made without the consent of a depicted individual; and
- intended to injure a candidate or influence the result of an election.

### Prohibit 45 Days Before Election

Prohibit a person from knowingly or with reckless disregard distributing a prohibited deepfake 45 days before a:

- nominating convention
- general election
- primary election, or
- special election.

### Enforcement/Penalty

Provide that a violation is a class B misdemeanor (consistent with other prohibited expenditures and reporting violations)