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Education, Energy, and the
Environment Committee

Chair

Joint Committee on
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THE SENATE OF MARYLAND
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Testimony in Support of SB 0141 – Election Law – Election Misinformation, Election Disinformation, and Deepfakes

January 19, 2026

Thank you for your consideration of SB 0141 – Election Law – Election Misinformation, Election Disinformation, and Deepfakes, which aims to prohibit the distribution of deceptive deepfakes intended to mislead voters about our elections.

Last year, this committee heard a similar bill, SB 361, which passed out of this committee and the Senate unanimously and almost passed out of conference committee. Over the interim, we worked with State Administrator of Elections Jared Demarinis and Delegate Feldmark to rework the bill language as it emerged from conference committee and to ensure it rests on firmer constitutional footing.

As artificial intelligence becomes more accessible, election interference through synthetic media has grown increasingly concerning. AI-generated images, videos, and audio recordings are being used to spread materially false information about how and when to vote, election results, and the integrity of election administration itself.

Recent elections abroad have already demonstrated how quickly deceptive content can be deployed to confuse voters and undermine confidence in democratic systems. For example, in Germany's 2025 election, an AI-edited announcement from a British intelligence service featured falsehoods about bomb threats, poisoned ballots, and imminent attacks on German polling stations. In another incident, the May 2025 Buenos Aires city elections saw the release of two deepfakes hours before polls opened. This content falsely claimed that a political candidate had withdrawn from the race.¹

States across the country are responding. Nearly 30 states have enacted laws addressing deceptive election deepfakes, including Texas, New Mexico, and Oregon, each taking different approaches to curbing election-related misinformation while respecting constitutional limits.

¹ <https://cetas.turing.ac.uk/publications/deepfake-scams-poisoned-chatbots>

SB 141 takes a targeted and constitutionally grounded approach. Rather than regulating speech about candidates, this bill focuses narrowly on materially false information about the election process itself: how to register, how to vote, how ballots are counted, and how elections are administered. Concerns related to candidate deepfakes are intentionally addressed separately through SB 8, which will be heard in the Senate Judicial Proceedings Committee and focuses squarely on the use of AI to impersonate someone. This clear division ensures that SB 141 remains focused on protecting voters and election administration while standing on firmer constitutional ground.

Specifically, this bill prohibits a person from knowingly disseminating a deepfake that produces materially false information if they have the intent to:

- Impede, influence, or prevent a voter's decision to cast a ballot, or attempt to do so
- Misrepresent facts relating to voter registration, voting methods, election results, electoral processes, or official duties of an election official; or
- Induce or attempt to induce another individual to sign/not sign a petition for a question to appear on a ballot

The bill also requires the State Board of Elections to correct election misinformation and to seek injunctions to remove election-related mis/disinformation from online platforms. To safeguard First Amendment protections, the bill includes clear carve-outs for satire and parody, as well as for broadcast and print media where appropriate disclosures are provided.

Unlike last year's version, which classified deceptive deepfakes as a form of voting fraud, this bill defines them as election mis- or disinformation. This change reflects our work with stakeholders and the House to more precisely tailor the bill and reduce the risk of constitutional challenge. SB 141 is a proactive measure to prevent voter disenfranchisement before harm occurs, because once voters are misled and elections disrupted, that damage cannot be undone.

As AI continues to advance and the 2026 election approaches, it is critical that Maryland has clear, enforceable protections in place. For these reasons, I respectfully request a favorable report on SB 141.

Sincerely,



Senator Katie Fry Hester
Howard and Montgomery Counties

California	AB 2839	Enacted Sept. 2024
California	AB 2655	Enacted Sept. 2024
Colorado	HB 1147	Enacted May 2024
Delaware	HB 316 HS 1	Enacted October 2024
Florida	HB 919	Enacted April 2024
Hawaii	SB 2687	Enacted July 2024
Idaho	HB 664	Enacted Mar. 2024
Indiana	HB 1133	Enacted Mar. 2024
Kentucky	SB 4 HB 672	Enacted Mar. 2025
Massachusetts	H 5100 / S 2856 Amendment 7	Enacted Nov 2024 (Sunsets Feb 2025)
Michigan	HB 5144	Enacted Nov. 2023
Minnesota	HF 1370	Enacted May 2023
Minnesota	HF 4772	Enacted May 2024
Mississippi	SB 2577	Enacted April 2024
Montana	SB 25	Enacted May 2025
Nevada	AB 73	Enacted June 2025
New Hampshire	HB 1596	Enacted August 2024
New Hampshire	HB 1432	Enacted July 2024
New Mexico	HB 182	Enacted Mar. 2024
New York	NY State Budget FY 2024-25 (Part MM Subpart B)	Enacted April 2024

North Dakota	HB 1167	Enacted April 2025
Oregon	SB 1571	Enacted Mar. 2024
Pennsylvania	SB 649	Enacted July 2025
Rhode Island	S 816	Enacted July 2025
Rhode Island	HB 5872	Enacted July 2025
South Dakota	SB 164	Enacted Mar. 2025
Texas	SB 751	Enacted June 2019
Utah	SB 131	Enacted Mar. 2024
Washington	SB 5152	Enacted May 2023
Wisconsin	AB 664	Enacted Mar. 2024

Source: <https://www.citizen.org/article/tracker-legislation-on-deepfakes-in-elections/>

Table 2: Introduced 2026

STATE	BILL NO.	STATUS
Alaska	SB 64	Introduced Jan. 2025, Passed Senate May 2025
Alaska	SB 2	Introduced Jan. 2025
Alaska	SB 33	Introduced Jan. 2025
Arkansas	HB 1141	Introduced Jan. 2025, Failed May 2025

California	AB 502	Introduced Feb. 2025, Passed House Apr. 2025, Ordered Inactive Sep. 2025
Connecticut	HB 6846	Introduced Jan. 2025, Failed June 2025
DC	B26-0329	Introduced Jul. 2025
Georgia	SB 9	Passed Sen. Mar. 2025, Passed House Mar. 2025
Idaho	HB 442	Introduced Mar. 2025, Failed Apr. 2025
Illinois	SB 150	Introduced Jan. 2025
Illinois	HB 1860	Introduced Feb. 2025
Illinois	HB 3303	Introduced Feb. 2025
Iowa	HSB 294	Introduced Mar. 2025
Kansas	SB 375	Failed Feb. 2025
Kentucky	HB 21	Introduced Jan. 2025, Failed Mar. 2025
Maine	LD 1690	Introduced Apr. 2025, Failed May 2025

Maryland	SB 361	Introduced Jan. 2025, Failed Apr. 2025
Maryland	HB 525	Introduced Jan. 2025, Failed Apr. 2025
Maryland	HB 740	Introduced Jan. 2025, Failed Apr. 2025
Massachusetts	H 76	Introduced Mar. 2025
Massachusetts	H 846	Introduced Mar. 2025
Massachusetts	S 2631	Introduced Oct. 2025
Mississippi	SB 2642	Introduced Jan. 2025, failed Feb. 2025
Missouri	SB 509	Introduced Jan. 2025, Failed May 2025
Missouri	HB 673	Introduced Jan. 2025, Failed May 2025
Nebraska	LB 615	Introduced Jan. 2025
Nevada	AB 271	Introduced Feb. 2025, Failed April 2025
New Hampshire	HB 630	Introduced Jan. 2025, Failed June 2025

New York	S 2414	Introduced Jan. 2025, Failed June 2025
New York	A 235	Introduced Jan. 2025, Failed June 2025
New York	A 3327	Introduced Jan. 2025, Failed June 2025
New York	A 6491	Introduced March 2025, Failed June 2025
New York	A 7656	Introduced Apr. 2025, Failed June 2025
New York	S 7963 / A 8523	Introduced May 2025, Failed June 2025
North Carolina	H 934	Introduced Apr. 2025
North Carolina	H 375	Introduced Mar. 2025
Ohio	HB 362	Introduced June 2025
Ohio	HB 185	Introduced Mar. 2025
Oklahoma	SB 894	Introduced Jan. 2025, Laid over until 2026
Oklahoma	SB 746	Introduced Jan. 2025

Pennsylvania	HB 811	Introduced Mar. 2025, Passed House Jun 2025
Texas	SB 893	Introduced Jan. 2025, Failed June 2025
Texas	HB 142	Introduced July 2025
Texas	HB 366	Introduced Feb. 2025, Passed House Apr. 2025, Failed June 2025
Vermont	S 23	Introduced Jan. 2025, Passed Sen. Mar. 2025, Passed House June 2025
Virginia	HB 2479	Introduced Jan. 2025, Passed both chambers Feb. 2025, Vetoed Mar. 2025
Virginia	HB 2479	Introduced Jan. 2025, Passed House Feb. 2025
West Virginia	SB 484	Introduced Feb. 2025, Failed April 2025

Source: <https://www.citizen.org/article/tracker-legislation-on-deepfakes-in-elections/>