

HB0525/713723/1

BY: Ways and Means Committee

AMENDMENTS TO HOUSE BILL 525  
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “**and Woods**” and substitute “**Woods, Wilkins, Palakovich Carr, Roberts, Wims, Ebersole, Fair, Patterson, Young, and Vogel**”; in line 2, strike “**Influence on a Voter’s Voting Decision By Use of Fraud**” and substitute “**Influencing a Voter By Dissemination of a Deepfake**”; strike beginning with “using” in line 4 down through “decision” in line 6 and substitute “. with fraudulent intent, influencing or attempting to influence a voter’s decision whether or not to cast a vote or whether to vote for or against a candidate or ballot issue by disseminating a deepfake; and generally relating to prohibiting influencing or attempting to influence a voter by dissemination of a deepfake”; in line 7, strike “repealing and reenacting, with amendments,” and substitute “adding to”; and in line 9, strike “16–201” and substitute “16–905”.

AMENDMENT NO. 2

On pages 1 through 3, strike in their entirety the lines beginning with line 15 on page 1 through line 4 on page 3, inclusive, and substitute:

“16–905.

**(A) IN THIS SECTION, “DEEPPFAKE” MEANS AN IMAGE, AN AUDIO RECORDING, OR A VIDEO RECORDING THAT HAS BEEN INTENTIONALLY CREATED OR MANIPULATED WITH THE USE OF GENERATIVE ARTIFICIAL INTELLIGENCE OR OTHER DIGITAL TECHNOLOGY TO CREATE A REALISTIC BUT FALSE DEPICTION OF A PERSON THAT AN ORDINARY PERSON WOULD CONCLUDE IS AN ACTUAL VISUAL OR AUDIO REPRESENTATION OF THE PERSON DEPICTED.**

**(B) THIS SECTION DOES NOT APPLY TO A DEEPFAKE THAT IS:**

**(1) DISSEMINATED BY THE NEWS MEDIA; OR**

**(2) SATIRE OR PARODY.**

**(C) A PERSON MAY NOT, WITH FRAUDULENT INTENT, INFLUENCE OR ATTEMPT TO INFLUENCE A VOTER'S DECISION WHETHER OR NOT TO CAST A VOTE OR WHETHER TO VOTE FOR OR AGAINST A CANDIDATE OR BALLOT ISSUE BY DISSEMINATING A DEEPFAKE.**

**(D) A PERSON ACTS WITH FRAUDULENT INTENT UNDER SUBSECTION (C) OF THIS SECTION ONLY IF THE PERSON DISSEMINATES A DEEPFAKE:**

**(1) THAT MISREPRESENTS A FACT THAT IS MATERIAL TO A VOTER'S DECISION WHETHER OR NOT TO CAST A VOTE OR WHETHER TO VOTE FOR OR AGAINST A CANDIDATE OR BALLOT ISSUE;**

**(2) WITH KNOWLEDGE THAT THE DEEPFAKE IS A DEEPFAKE, OR WITH RECKLESS DISREGARD FOR WHETHER THE DEEPFAKE IS A DEEPFAKE; AND**

**(3) WITH THE INTENT TO DECEIVE A VOTER AND INDUCE A VOTER TO CAST A VOTE OR NOT CAST A VOTE OR TO VOTE FOR OR AGAINST A CANDIDATE OR BALLOT ISSUE AT LEAST IN PART ON THE BASIS OF THE DECEPTION.**

**(E) THE FOLLOWING PERSONS MAY NOT BE FOUND TO HAVE VIOLATED THIS SECTION BECAUSE THE PERSON'S SERVICES OR FACILITIES ARE USED BY ANOTHER PERSON TO DISSEMINATE A DEEPFAKE IN VIOLATION OF THIS SECTION:**

**(1) AN INTERACTIVE COMPUTER SERVICE, AS DEFINED IN 47 U.S.C. § 230;**

**(2) AN INTERNET SERVICE PROVIDER;**

**(3) A CLOUD SERVICE PROVIDER;**

**(4) A TELECOMMUNICATIONS NETWORK;**

**(5) A RADIO OR TELEVISION BROADCASTING STATION OR NETWORK;**

**(6) A CABLE, SATELLITE RADIO, SATELLITE TELEVISION, OR STREAMING SERVICE OPERATOR, PROGRAMMER, OR PRODUCER; OR**

**(7) A NEWSPAPER, MAGAZINE, WEBSITE, OR OTHER PERIODICAL PUBLICATION.**

**(F) A PERSON WHO VIOLATES THIS SECTION IS GUILTY OF A MISDEMEANOR AND ON CONVICTION IS SUBJECT TO A FINE OF NOT MORE THAN \$5,000 OR IMPRISONMENT FOR NOT MORE THAN 5 YEARS OR BOTH.”.**