

SENATE BILL 361

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5lr0836
CF 5lr1689

By: **Senator Hester**

Introduced and read first time: January 17, 2025

Assigned to: Education, Energy, and the Environment

A BILL ENTITLED

1 AN ACT concerning

2 **Election Law – Influence on a Voter’s Voting Decision By Use of Fraud –**
3 **Prohibition**

4 FOR the purpose of prohibiting a person from using fraud to influence or attempt to
5 influence a voter’s voting decision; defining “fraud” to include the use of synthetic
6 media; and generally relating to the use of fraud to influence a voter’s voting decision.

7 BY repealing and reenacting, with amendments,
8 Article – Election Law
9 Section 16–201
10 Annotated Code of Maryland
11 (2022 Replacement Volume and 2024 Supplement)

12 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
13 That the Laws of Maryland read as follows:

14 **Article – Election Law**

15 16–201.

16 (a) **(1)** In this section[, “influence”] **THE FOLLOWING WORDS HAVE THE**
17 **MEANINGS INDICATED.**

18 **(2) “FRAUD” INCLUDES THE USE OF SYNTHETIC MEDIA.**

19 **(3) “INFLUENCE”** includes the use of pressure, deception, trickery, or
20 direct or indirect authority to induce action or to change the decision or act of another,
21 regardless of the medium used.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (4) “SYNTHETIC MEDIA” MEANS AN IMAGE, AN AUDIO RECORDING, OR
2 A VIDEO RECORDING THAT HAS BEEN INTENTIONALLY CREATED OR MANIPULATED
3 WITH THE USE OF GENERATIVE ARTIFICIAL INTELLIGENCE OR OTHER DIGITAL
4 TECHNOLOGY TO CREATE A REALISTIC BUT FALSE IMAGE, AUDIO RECORDING, OR
5 VIDEO RECORDING:

6 (I) PURPORTING TO DEPICT A REAL, CLEARLY IDENTIFIED
7 CANDIDATE OR THE SPEECH OR CONDUCT OF THE CANDIDATE; OR

8 (II) PRODUCING A FUNDAMENTALLY DIFFERENT
9 UNDERSTANDING OR IMPRESSION OF AN INDIVIDUAL’S APPEARANCE, SPEECH, OR
10 CONDUCT THAN A REASONABLE INDIVIDUAL WOULD HAVE FROM THE UNALTERED,
11 ORIGINAL VERSION OF THE IMAGE, AUDIO RECORDING, OR VIDEO RECORDING.

12 (b) A person may not willfully and knowingly:

13 (1) (i) impersonate another person in order to vote or attempt to vote;

14 or

15 (ii) vote or attempt to vote under a false name;

16 (2) vote more than once for a candidate for the same office or for the same
17 ballot question;

18 (3) vote or attempt to vote more than once in the same election, or vote in
19 more than one election district or precinct;

20 (4) vote in an election district or precinct without the legal authority to vote
21 in that election district or precinct;

22 (5) influence or attempt to influence a voter’s voting decision through the
23 use of force, **FRAUD**, threat, menace, intimidation, bribery, reward, or offer of reward;

24 (6) influence or attempt to influence a voter’s decision, through the use of
25 force, fraud, threat, menace, intimidation, bribery, reward, or offer of reward, whether to:

26 (i) go to the polls to cast a vote; or

27 (ii) vote by other lawful means; or

28 (7) engage in conduct that results or has the intent to result in the denial
29 or abridgement of the right of any citizen of the United States to vote on account of race,
30 color, or disability.

1 (c) Except as provided in § 16–1002 of this title, a person who violates this section
2 is guilty of a misdemeanor and on conviction is subject to a fine of not more than \$5,000 or
3 imprisonment for not more than 5 years or both.

4 (d) A person who violates this section is subject to § 5–106(b) of the Courts Article.

5 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect June
6 1, 2025.