

# SENATE BILL 141

G1  
SB 361/25 – EEE

(PRE-FILED)

6lr0641  
CF HB 145

---

By: Senator Hester

Requested: July 16, 2025

Introduced and read first time: January 14, 2026

Assigned to: Education, Energy, and the Environment

---

## A BILL ENTITLED

1 AN ACT concerning

2 **Election Law – Election Misinformation, Election Disinformation, and**  
3 **Deepfakes**

4 FOR the purpose of requiring the State Administrator of Elections to take certain actions  
5 if the State Administrator receives a credible report that election misinformation or  
6 election disinformation has been or is being communicated, disseminated, or  
7 distributed; authorizing the State Board of Elections to file a certain civil action  
8 related to election misinformation or election disinformation; prohibiting a person,  
9 under certain circumstances, from knowingly or with reckless disregard using or  
10 disseminating a deepfake to produce materially false information; and generally  
11 relating to election misinformation, election disinformation, and deepfakes.

12 BY repealing and reenacting, with amendments,  
13 Article – Election Law  
14 Section 2–110  
15 Annotated Code of Maryland  
16 (2022 Replacement Volume and 2025 Supplement)

17 BY adding to  
18 Article – Election Law  
19 Section 16–905  
20 Annotated Code of Maryland  
21 (2022 Replacement Volume and 2025 Supplement)

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

24 **Article – Election Law**

25 2–110.

---

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



(a) (1) In this section the following words have the meanings indicated.

(2) "Election disinformation" means incorrect or misleading information regarding the time, place, or manner of an election, election results, or voting rights in the State that is knowingly and deliberately disseminated.

5 (3) "Election misinformation" means incorrect or misleading information  
6 regarding the time, place, or manner of an election, election results, or voting rights in the  
7 State.

13 (C) (1) IF THE STATE ADMINISTRATOR RECEIVES A CREDIBLE REPORT  
14 THAT ELECTION MISINFORMATION OR ELECTION DISINFORMATION, INCLUDING A  
15 DEEPMFAKE, HAS BEEN OR IS BEING COMMUNICATED, DISSEMINATED, OR  
16 DISTRIBUTED, THE STATE ADMINISTRATOR:

17 (I) SHALL COMMUNICATE, DISSEMINATE, OR DISTRIBUTE TO  
18 THE PUBLIC ACCURATE INFORMATION TO CORRECT THE ELECTION  
19 MISINFORMATION OR ELECTION DISINFORMATION;

20 (II) MAY SEEK AN INJUNCTION FOR THE REMOVAL OF THE  
21 ELECTION MISINFORMATION OR ELECTION DISINFORMATION FROM ANY ONLINE  
22 PLATFORM; AND

31 (I) FINDS THAT THE ENTITY PUBLISHED ELECTION  
32 MISINFORMATION OR ELECTION DISINFORMATION; AND

1 (II) INCURS COSTS TO COMMUNICATE, DISSEMINATE, OR  
2 DISTRIBUTE TO THE PUBLIC ACCURATE INFORMATION TO CORRECT THE ELECTION  
3 MISINFORMATION OR ELECTION DISINFORMATION.

7 16-905.

8           (A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS  
9 INDICATED.

16 (3) "INFLUENCE" HAS THE MEANING STATED IN § 16–201 OF THIS  
17 TITLE.

18 (B) THIS SECTION DOES NOT APPLY:

**19 (1) WITH RESPECT TO A DEEPFAKE THAT IS SATIRE OR PARODY;**

(2) TO A RADIO OR TELEVISION BROADCASTING STATION, INCLUDING  
A CABLE OR SATELLITE TELEVISION OPERATOR, PROGRAMMER, OR PRODUCER,  
THAT BROADCASTS A DECEPTIVE AND FRAUDULENT DEEPFAKE IF:

23 (I) THE BROADCAST IS REQUIRED BY THE FEDERAL LAW THAT  
24 REQUIRES BROADCASTERS TO AIR ADVERTISEMENTS FROM LEGALLY QUALIFIED  
25 CANDIDATES;

## 26 (II) THE BROADCAST:

27 1. IS PART OF A BONA FIDE NEWSCAST, A NEWS  
28 INTERVIEW, A NEWS DOCUMENTARY, OR ON-THE-SPOT COVERAGE OF BONA FIDE  
29 NEWS EVENTS; AND

1 THE AVERAGE LISTENER OR VIEWER THAT THE DEEFAKE MAY CONTAIN DECEPTIVE  
2 AUDIO OR VISUAL MEDIA; OR

3 (III) THE BROADCASTER HAS:

4 1. BEEN PAID TO BROADCAST THE DEEFAKE; AND

5 2. MADE A GOOD FAITH EFFORT TO ESTABLISH THAT  
6 THE DEEFAKE IS NOT A DECEPTIVE AND FRAUDULENT DEEFAKE; OR

7 (3) TO A WEBSITE OR REGULARLY PUBLISHED NEWSPAPER,  
8 MAGAZINE, OR OTHER PERIODICAL OF GENERAL CIRCULATION, INCLUDING AN  
9 INTERNET OR ELECTRONIC PUBLICATION, THAT ROUTINELY CARRIES NEWS AND  
10 COMMENTARY OF GENERAL INTEREST AND THAT PUBLISHES A DECEPTIVE AND  
11 FRAUDULENT DEEFAKE IF THE WEBSITE OR PERIODICAL CLEARLY STATES THAT  
12 THE MATERIALLY DECEPTIVE AUDIO OR VISUAL MEDIA DOES NOT ACCURATELY  
13 REPRESENT THE SPEECH OR CONDUCT OF THE CANDIDATE.

14 (C) A PERSON MAY NOT KNOWINGLY OR WITH RECKLESS DISREGARD USE  
15 OR DISSEMINATE A DEEFAKE TO PRODUCE MATERIALLY FALSE INFORMATION IF  
16 THE PERSON HAS THE INTENT TO USE THE DEEFAKE TO:

17 (1) IMPEDE, INFLUENCE, PREVENT, OR ATTEMPT TO IMPEDE,  
18 INFLUENCE, OR PREVENT A VOTER'S DECISION TO CAST A BALLOT;

19 (2) MISREPRESENT FACTS RELATING TO VOTER REGISTRATION,  
20 VOTING METHODS, ELECTION RESULTS, ELECTORAL PROCESSES, OR OFFICIAL  
21 DUTIES OF AN ELECTION OFFICIAL; OR

22 (3) INDUCE OR ATTEMPT TO INDUCE ANOTHER INDIVIDUAL TO SIGN  
23 OR NOT SIGN A PETITION FOR A QUESTION TO APPEAR ON A BALLOT.

24 (D) A PERSON WHO VIOLATES SUBSECTION (C) OF THIS SECTION IS GUILTY  
25 OF A MISDEMEANOR AND ON CONVICTION IS SUBJECT TO A FINE OF NOT MORE THAN  
26 \$5,000 OR IMPRISONMENT FOR NOT MORE THAN 5 YEARS OR BOTH.

27 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect June  
28 1, 2026.