

February 6, 2020

**Testimony on HB 198  
Election Law - Online Campaign Material - Use of Deepfakes  
Ways and Means**

**Position: Favorable**

Common Cause Maryland supports HB 198 which would prohibit the use of deepfake campaign materials within 90 days of an election. This legislation would target deceptive practices that can mislead voters and negatively impact the voters ability to make knowledgeable and informed decisions in elections.

Deepfakes are pieces of media that have been altered using artificial intelligence and can essentially create the appearance of events that did not happen. During an election, this could mean that campaign materials are created that show candidates in a negative light doing or saying things they did not actually do or say. This is deceptive and it confuses voters. Once those false events/incidents are out on the internet, it is hard to set the record straight. This is most likely why bad actors utilize Deep Fakes.

The 90 days before election day are critical to every candidate's campaign. That is when many make their big pushes for support. Voters can be influenced up until they actually vote and will most likely defer to the most recent campaign information available to them. That is why it is imperative that candidates and campaign finance entities are prohibited from swaying voters with false information during this time period.

This legislation puts responsibility on candidates and campaign finance entities to make sure they are not participating in this type of trickery. This legislation holds bad actors accountable and should work as a good deterrent for the use of Deep Fakes.

Misinformation is harmful to our democracy and the right to make a well-informed vote. It is important that as technology keeps advancing, Maryland is taking the appropriate measures to protect the political process. We must ensure voters that they do not have to have a total distrust of campaign ads and other materials.

We are in favor of HB 198 and urge a favorable report.