



Maryland State Board of Elections

HB 465

Election Law – Campaign Material- Disclosure of the Use of Bots Delegates Cain and Rosenberg

Purpose:

To inform voters and potential voters that a bot is being using to disseminate campaign material.

Comments:

The State Board of Elections offers informational testimony on the proposed legislation.

A bot is an automated online account that posts or disseminates information under a different name than the originator. In its basic form, a bot is a delivery method of information. However, unlike other delivery methods of information, the recipient has no first-hand knowledge that a bot is being used. Furthermore, information disseminated by a bot is spread in a mass and viral way quickly. Bot usage has been linked with the spread of disinformation and false grassroots movements also known as digital astroturfing. A bot obscures the true disseminate point with fictional online identities. The proposed legislation requires if a campaign committee or an independent expenditure entity or their agents publishes, disseminates or distributes campaign material via a bot, the committee or independent expenditure entity must clearly identify that a bot is being used for the publication or dissemination.

A person that fails to disclose the use of a bot could possibly lead to the removal of the bot from an online platform by the State Board. Additionally, the committee may be subject to civil citation for its failure to disclosure. However, the removal of the bot does not impact or effect a person's right to publish, distribute or disseminate campaign material under the person's name or account. The legislation does not impact the First Amendment rights of a person from engaging in political speech.

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W & M 2/11/2020