



TESTIMONY TO THE HOUSE WAYS AND MEANS COMMITTEE

HB 782 Election Law – Campaign Materials – Disclosure of Use of Synthetic Media

POSITION – Information

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The League of Women Voters supports election law regulations that enhance political equality for all citizens, ensure transparency, protect representative democracy from distortion by undisclosed contributions and combat corruption.

HB 872 would extend disclosure requirements to the use of synthetic media in campaign materials. The bill defines “synthetic media” as “manipulated with the use of generative artificial intelligence or other digital technology to create a realistic but false image...” We are very concerned about the likelihood that many voters will find it difficult to distinguish between real and fake images and videos in many ways that could influence voting behavior, including deterring people from voting at all.

The bill would require disclosure that the material “has been altered or modified through the use of computer programs to display an event or image that did not occur.” It would apply to materials that may be published, distributed or disseminated to another person in the state, and could be enforced against “a candidate, campaign finance entity, or person required to register under [Maryland campaign finance regulations].”

The League is supportive of requirements for disclosures of this nature. However, by requiring material that has been altered to be labeled as such, it might imply that material that hasn't been disclosed as having been altered could lead to a false sense of confidence that it is genuine. Further, we do not see how the requirement can be meaningfully enforced against sources outside the state of Maryland or even sources within Maryland that are not already registered in our system of campaign finance regulation. Many of the concerning social media postings following the expansion of generative A.I. availability have been from outside the U.S., let alone Maryland.

Because we believe campaign material should be free of distortion and transparent, we encourage efforts to keep up with technological change but would also like to encourage discussion about realistic and meaningful enforcement.

We neither support nor oppose HB 872.