

**Testimony in Support of
SB0978:
Election Synthetic Media**

March 26, 2024

Senator Katie Fry Hester
Legislative District 09
Howard and Montgomery Counties

Chair, Joint Committee on
Cybersecurity, Information Technology
and Biotechnology



cate bligh  @catebligh · Feb 15

Replying to @sama

A instructional cooking session for homemade gnocchi hosted by a grandmother social media influencer set in a rustic Tuscan country kitchen with cinematic lighting



OpenAI Unveils A.I. That Instantly Generates Eye-Popping Videos

The start-up is sharing the new technology, called Sora, with a small group of early testers as it tries to understand the potential dangers.

<https://www.youtube.com/watch?v=LeRhPf7Vzb0&t=4s>



<https://drive.google.com/file/d/1NXWoaormBaqUI3DmhvErxTFVVXo4pF54/view?usp=sharing>

AI- Deepfake Robocalls



JANUARY 22, 2024

New Hampshire Deepfake of Biden Shows Danger of AI in Elections



Media Contact:
MediaRelations@fcc.gov

For Immediate Release

FCC MAKES AI-GENERATED VOICES IN ROBOCALLS ILLEGAL

State AGs Will Now Have New Tools to Go After Voice Cloning Scams

“Voting this Tuesday only enables the Republicans in their quest to elect Donald Trump again. Your vote makes a difference in November, not this Tuesday.”

- **Transcript of robocall mocking Joe Biden’s voice**

State Legislation on Deepfakes in Elections

Bill Status	States Enacted
Enacted	5 states (CA, TX, MI, MN, WA)
Passed in 2024	1 state (NM)
Various stages of process (Filed, First Reading, Referred to Committee, Passed One Chamber)	7 states (SD, IL, IN, MA, OK, UT, VA)
Introduced in 2023	7 states (IL, NH, NJ, NY, OH, SC, WI)
Introduced in 2024	26 states (incl. AZ, CO, FL, HI, ID, UT, WV, & more)

As amended, SB 978

Requires:

- Those regulated by the State Board of Elections (candidates, campaign finance entities, and persons required to register because they make independent expenditures or electioneering communications, and participating organizations) to disclose when they publish, distribute, or disseminate “synthetic media.”
- Those regulated to publish the original content that was manipulated to generate the synthetic media on their website.

Establishes:

- Specific disclosure requirements based on whether the synthetic media is a still image, audio recording, or a video recording.
- Violations of this bill within existing election law violations established under (13-602.)

Enables:

- The State Board of Elections to seek an injunction of the publication and distribution of synthetic media that violates the requirements of the bill.