

## **SENATE EDUCATION, ENERGY, AND THE ENVIRONMENT COMMITTEE**

**February 26, 2025**

### **SB 361 – Election Law – Influence on a Voter’s Decision By Use of Fraud - Prohibition Position: SUPPORT**

Disability Rights Maryland (DRM) is the Protection & Advocacy agency in Maryland, federally mandated to advance the civil rights of people with disabilities. DRM works to increase opportunities for Marylanders with disabilities to be part of their communities through voting by advocating for equal access to the ballot box. DRM supports Senate Bill 361, which aims to prohibit the use of fraud, including synthetic media, to influence or attempt to influence a voter's decision.

As generative AI technology becomes more widespread, so does the risk of misleading or deceptive content about politicians and political activity. This bill aims to protect Marylanders by preventing the use of AI-generated media to create and spread false or misleading narratives. SB 361 would prohibit a person from using AI in a fraudulent manner to influence a voter’s decision. Voters are more concerned than ever with the use of AI technology to influence elections. Polls conducted by Ipsos<sup>1</sup> and YouGov<sup>2</sup> have shown that 70%-85% of individuals are concerned about the role AI deepfakes and other AI generated content in the spread of misinformation. Though AI technology has become even more accessible to the public in recent years, a study conducted by the Rand Corporation<sup>3</sup> has found that 27%-50% of individuals struggle to distinguish between deepfakes and real images or content.

Misleading deepfake content poses a serious threat to Maryland’s most marginalized communities, including people with disabilities. While many are misled by deepfakes, those with fewer resources to verify information—such

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<sup>1</sup> <https://www.ipsos.com/en-us/americans-hold-mixed-opinions-ai-and-fear-its-potential-disrupt-society-drive-misinformation>

<sup>2</sup> <https://today.yougov.com/technology/articles/46058-majorities-americans-are-concerned-about-spread-ai>

<sup>3</sup> [https://www.rand.org/pubs/external\\_publications/EP70217.html](https://www.rand.org/pubs/external_publications/EP70217.html)

as individuals with cognitive disabilities or those who rely on assistive technology—face heightened risks. Additionally, bad actors could deliberately target these communities with politicized disinformation, further restricting their ability to participate fully in the democratic process.

SB 361 provides crucial protections against ongoing efforts to undermine Maryland’s electoral system. It is essential for the General Assembly to prioritize this legislation and ensure that all Marylanders, including those with disabilities, can engage in an electoral process free from misinformation and deception.

For these reasons, we request a favorable report on SB 361. Please do not hesitate to contact me [BradenS@DisabilityRightsMD.org](mailto:BradenS@DisabilityRightsMD.org) or 443-692-2485.

Respectfully submitted,

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