Chair Smith, Vice Chair Waldstreicher, and esteemed members of the Judicial Proceedings Committee, I thank you for your consideration of SB 362.

Like many Marylanders, I have found myself both amazed and concerned by the advancing capabilities of Artificial Intelligence (AI). In 2015, AI-generated images were generally abstract and easily identifiable. Yet, the growing popularity and accessibility of AI has enabled its technologies to learn rapidly as millions of users inadvertently finetune its algorithm with their requests. By 2019, AI had become capable of generating photorealistic images in seconds– an ability which has only been refined in the years since.

As this technology progresses at an exponential rate, the ability of bad actors to abuse it grows ever more pressing. Already, AI technology has been used in attempts to manipulate election results; last January, voters in New Hampshire were instructed by a robocall impersonating President Biden's voice to "save [their] vote" for the November election rather than voting in the state's primary.[1] The 2024 presidential election saw an influx of AI-generated headlines intended to scare away voters, including false reports of shootings at polling locations.[2] These manipulations erode public trust and threaten the sanctity of democratic elections.

Several states have already taken steps to address this growing problem, with California's AB 730, Texas' SB 751, and Delaware's HB 316 all addressing the danger of election manipulation through AI-generated media. SB 362 as introduced would address this broad threat to democracy while simultaneously protecting individual citizens who find themselves equally at risk of having their image abused with AI technology. The proposed prohibition of forged digital likenesses protects both Maryland as a whole and the valued citizens within it.

I would like to thank Senators Hester and Hettleman for introducing this important bill, as well as the members of the Committee for considering it. For the reasons outlined above, I respectfully request a favorable vote on this legislation.

---

[1] Fake Biden robocall urges New Hampshire voters to skip their primary
[2] AI deepfakes a top concern for election officials with voting underway