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Health and Government
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House Chair
Joint Committee on Cybersecurity,
Information Technology and
Biotechnology

THE MARYLAND HOUSE OF DELEGATES
ANNAPOLIS, MARYLAND 21401

Madam Chair Atterbeary and esteemed members of the Ways & Means Committee, it is my pleasure to offer testimony in favor of **House Bill 740: Election Law -- Campaign Materials -- Disclosure of Use of Synthetic Media.** This bill serves a twofold purpose: safeguarding the integrity of Maryland's elections *and* ensuring voters have the transparency needed to make informed decisions. It does not prohibit the use of generative artificial intelligence in any capacity. Rather, it expands upon current COMAR regulations and codifies specific disclosure requirements for synthetic media, including deepfakes, when used in campaign materials.

Synthetic media is becoming increasingly difficult to distinguish from authentic content. An Oxford University published study found that when asked to differentiate 50 AI-generated images from real ones, participant accuracy averaged 62%. As AI capabilities continue to evolve, this number is only expected to decrease. The increasing sophistication of AI-generated images, audio, and video -- including deepfakes -- present a serious risk to election integrity. Artificial intelligence can now create highly realistic yet entirely fabricated media, allowing candidates, elected officials, and public figures to appear as if they said or did things that **never actually happened.**

In the 2024 election cycle, several examples of AI-generated campaign media were circulated, including a deepfake robocall that impersonated President Biden's voice and asked New Hampshire residents not to vote. Examples of deceptive synthetic media have been shown to mislead voters, erode trust in elections, and distort public perception.

As this technology becomes more widespread, accessible, and increasingly difficult to detect, it is critical that guardrails are established now -- before AI-generated misinformation becomes a standard campaign tactic. All but 12 states across the country -- regardless of political affiliation -- are moving to regulate the use synthetic media in elections. Nearly two dozen states (21) including Texas, California, and Minnesota, have already enacted laws regulating synthetic media in political campaigns. Additionally, 17 states have pending legislation, having recognized the urgency of this issue.

This bill takes a balanced, yet enforceable first step toward regulating AI use in campaign material. It does not ban AI-generated content; it simply requires campaigns to disclose when they use synthetic media, allowing voters to evaluate campaign materials with a better understanding of how the media was generated.

I respectfully urge this committee to issue a favorable report on **House Bill 740.**