

February 2, 2026

The Honorable Melissa Wells  
Chair  
House Government, Labor, and Elections Committee  
Maryland House of Delegates  
145 Lowe House Office Building  
Annapolis, Maryland 21401

*RE: HB 145 (Feldmark) - Election Law - Election Misinformation, Election Disinformation, and Deepfakes – Favorable with Amendments*

Dear Chair Wells and Members of the Committee,

On behalf of TechNet, I'm writing to share comments on HB 145 pertaining to election deepfakes.

TechNet is the national, bipartisan network of technology CEOs and senior executives that promotes the growth of the innovation economy by advocating a targeted policy agenda at the federal and 50-state level. TechNet's diverse membership includes 104 dynamic American businesses ranging from startups to the most iconic companies on the planet and represents five million employees and countless customers in the fields of information technology, artificial intelligence, e-commerce, the sharing and gig economies, advanced energy, transportation, cybersecurity, venture capital, and finance.

Artificial intelligence has the potential to help us solve the greatest challenges of our time. It is being used to predict severe weather more accurately, protect critical infrastructure, defend against cyber threats, and accelerate the development of new medical treatments, including life-saving vaccines and ways to detect earlier signs of cancer.

However, recognizing and addressing the genuine risks associated with AI is crucial for its responsible advancement. That includes preventing candidates and their agents from using AI to release deliberately misleading campaign content. Creators of political content that include materially deceptive media should have an obligation to provide clear disclosures. We support statutory language to ensure that liability for dissemination of such media is limited to the person who creates and disseminates it, and not on intermediaries such as internet service providers, platforms, or tools that may be used in its creation or dissemination. Any liability should be solely on the natural person who is the bad actor violating the law. We believe that any state law should align with federal exemptions contained in Section 230 of the federal code. As such, we're requesting the following language be

included in the bill's exemption list, in addition to (B)(2) exemptions on radio and television broadcasting stations:

- **"This section does not impose liability upon the following entities as a result of content provided by another person:**
  - **An interactive computer service, as defined in 47 U.S.C. § 230;**
  - **An internet service provider, cloud provider, cybersecurity provider, communication service provider, or telecommunications network.**

We propose adding cybersecurity and antifraud exemptions to clarify that the sharing of deepfake content for the purposes of cybersecurity or antifraud efforts is not considered the dissemination of the content, and hence that person would not be liable. Suggested language:

- **"This act shall not restrict the ability of a person to detect, prevent, respond to, or protect against security incidents, identity theft, fraud, harassment, malicious or deceptive activities or any illegal activity, preserve the integrity or security of systems or investigate, report, or prosecute those responsible for any such action."**

Thank you for the opportunity to share our comments on HB 145. Please don't hesitate to reach out with any questions.

Sincerely,

*Margaret Durkin*

Margaret Durkin  
TechNet Executive Director, Pennsylvania & the Mid-Atlantic