



To: Government, Labor, and Elections Committee

From: Tim Nelson and Pearson Cost, Counsel to the Maryland-DC-Delaware Broadcasters Association

Date: Submitted – March 30, 2026; Hearing – April 1, 2026

Re: Senate Bill 141

The Maryland-DC-Delaware Broadcasters Association (“MDCD” or the “Association”) appreciates the opportunity to submit this written testimony regarding Senate Bill 141, “Election Law - Election Misinformation, Election Disinformation, and Deepfakes.”¹ On behalf of the Association and its Members, which include approximately 20 television stations and 110 radio stations, MDCD thanks the Committee for holding a hearing on Senate Bill 141, which legislation addresses the very important issue of the use of generative artificial intelligence (AI) and similar technology in the context of elections. MDCD supports Senate Bill 141 as amended and urges a favorable report.

As the Committee is aware, MDCD’s members—local television and radio stations—are the most trusted source of news and information here in Maryland and across the country; that role for local broadcasters is all the more important in light of the rampant increase in the use of generative AI in spreading misinformation and disinformation. As is the case in newsrooms across America, the Association’s television and radio stations are working diligently to protect against generative AI distorting the news reporting and informational content that they source, produce, and freely deliver to the public.

With that aim in mind, the Association advocated for certain changes in Senate Bill 141 (and the companion legislation, House Bill 145) with the hopes of strengthening the legislation by clarifying its scope, and MDCD was pleased to see many of those changes implemented. The Senate Education, Energy, and the Environment Committee favorably reported Senate Bill 141 with amendments that improve the legislation:

- In Section 2-110, the amendment clarified that the State Board and Administrator of Elections may not seek damages, costs, or fees from a person exempt from the requirements of Section 16-905. As MDCD has previously written to this Committee, a broadcaster should not be subject to penalties for airing paid advertising containing misinformation or disinformation.
- In Section 16-905, the Senate removed language that required broadcasters to make a “good faith effort to establish that the deepfake is not a deceptive and fraudulent deepfake.” Although MDCD’s members are already undertaking efforts to discover the

¹ The Maryland-DC-Delaware Broadcasters Association is a voluntary, non-profit trade association that advocates for the interests of its member radio and television stations and, more generally, the interests of broadcasting in Maryland, Delaware, and Washington, D.C.

use of generative AI, the “good faith effort” standard was ambiguous and focused on undefined actions. Additionally, MDCD’s members’ good-faith efforts to protect against deceptive and fraudulent information are tested each day by the public, as confidence breeds viewership and listenership; such good-faith effort does not also need to be examined in court with vague, imprecise guidelines.

To reiterate, MDCD supports efforts to harness the power of generative artificial intelligence and to reduce the spread of misinformation and disinformation, particularly in the context of free and fair elections, and the Association is appreciative that this Committee continues to address these issues. It is important that such efforts, however, do not inadvertently sweep up broadcasters and other news media entities that are already working tirelessly to provide trusted local journalism and information—and to root out deceptive uses of AI. Given the amended legislation as passed in the Senate, the Association supports Senate Bill 141 and urges a favorable report.