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TESTIMONY ON HB#/0145- POSITION: FAVORABLE

Election Law - Election Misinformation, Election Disinformation, and Deepfakes

TO: Chair Wells, Vice Chair Kerr, and members of the Government, Labor, and Elections Committee

FROM: Richard Keith Kaplowitz

My name is Richard Keith Kaplowitz. I am a resident of District 3, Frederick County. I am submitting this testimony in support of HB#/0145, **Election Law - Election Misinformation, Election Disinformation, and Deepfakes**

This bill is a recognition of the problems that now exist in an environment in which technology can be misused to influence voters in an election. The bill will require the State Administrator of Elections to take certain actions if the State Administrator receives a credible report that election misinformation or election disinformation, including a deepfake, has been or is being communicated, disseminated, or distributed; requiring the Administrator to communicate correct information to the public; prohibiting a person, under certain circumstances, from knowingly or with reckless disregard using or disseminating a deepfake to produce materially false information; etc. As reported in Science and Technology:

“Typically, deepfakes are used to purposefully spread false information or they may have a malicious intent behind their use. They can be designed to harass, intimidate, demean and undermine people. Deepfakes can also create misinformation and confusion about important issues.”¹

This can have significant and dire consequences for voters and elections in their negative effects on our democracy. NPR reported on “How AI deepfakes polluted elections in 2024 - <https://www.npr.org/2024/12/21/nx-s1-5220301/deepfakes-memes-artificial-intelligence-elections>

This bill provides affirmative steps to combat the problem along with provisions to initiate civil actions with penalties against providers of this misinformation and disinformation. It increases elections integrity and security within Maryland.

I respectfully urge this committee to return a favorable report on HB#/0145.

¹ <https://www.unr.edu/nevada-today/news/2023/atp-deepfakes>