

January 20, 2026

The Honorable Will Smith  
Chair  
Senate Judicial Proceedings Committee  
Maryland Senate  
2 East Miller Senate Office Building  
Annapolis, Maryland 21401

*RE: SB 8 (Hester) - Criminal Law - Identity Fraud - Artificial Intelligence and Deepfake Representations – Favorable with Amendments*

Dear Chair Smith and Members of the Committee,

On behalf of TechNet, I'm writing to share comments on SB 8 on identity fraud by artificial intelligence and deepfake representations.

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 106 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.

In the context of regulating AI in deepfakes, liability should be solely on the natural person who is the bad actor violating the law. Further, 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 added to SB 8:

- **"As such terms are defined in 47 U.S.C. § 230, an interactive computer service is not liable for content provided by another person in violation of this act."**

Thank you for the opportunity to share our comments on SB 8. Please don't hesitate to reach out with any questions.

Sincerely,

*Margaret Durkin*

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