

HCS HBs 2628 & 2603 -- ELECTRONIC COMMUNICATIONS (Baker)

COMMITTEE OF ORIGIN: Special Committee on Innovation and Technology

This bill prohibits any person or entity from, within 90 days of an election, distributing a synthetic media message of any candidate or party for elective office who will appear on a state or local ballot.

This shall not apply if the synthetic media includes a disclaimer stating that it has been manipulated or generated by artificial intelligence. The nature of the disclaimer is specified in the bill.

This shall also not apply to a broadcaster if they acknowledge through content or a disclosure that there are questions about the authenticity of the media, if they acknowledge that a publication does not accurately represent the speech or conduct of the candidate, if it is paid to broadcast the deepfake, or to media that constitutes satire or parody.

A candidate who is harmed by a violation of this section may seek injunctive or other equitable relief prohibiting the publication of the deepfake. Penalties are specified in the bill.

The bill also adds business subscribers to the No-Call List and specifies that a person does not have to renew his or her objection to receiving solicitations.

The bill establishes the "Caller ID Anti-Spoofing Act" which creates the offense of caller identification spoofing. The first offense is a class C misdemeanor and any subsequent offenses are a class A misdemeanor. Exceptions to the offense are specified in the bill.

The recipient of any call in which the caller uses false caller ID information has standing to recover punitive damages against the caller in an amount up to \$5,000 per call. Call recipients may bring action under this section as a class. The Attorney General may initiate legal proceedings or intervene in legal proceedings on behalf of call recipients.