

Government Administration and Elections Committee

JOINT FAVORABLE REPORT

Bill No.: HB-5450

AN ACT CONCERNING ARTIFICIAL INTELLIGENCE, DECEPTIVE SYNTHETIC

Title: MEDIA AND ELECTIONS.

Vote Date: 3/22/2024

Vote Action: Joint Favorable Substitute

PH Date: 3/13/2024

File No.:

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SPONSORS OF BILL:

Government Administration & Elections

REASONS FOR BILL:

This bill is intended to limit the spread of deceptive information related to elections through the use of Artificial Intelligence and deepfakes, which includes photographs, video footage, or audio which represent something that an individual never said or did.

The substitute language clarifies several terms related to media and elections and establishes the penalties and prosecuting process for those who violate the provisions of this bill were it to become law.

RESPONSE FROM ADMINISTRATION/AGENCY:

Stephanie Thomas, Connecticut Secretary of The State: She commends the committee for raising this piece of legislation as it could help the state fight election-related misinformation but has some concerns about the bill. States that there should be language that specifically protects election infrastructure such as polling locations and voter lists from deceptive media, and that the bill should address the use of voter rolls to depress voter turnout. Also states that this bill should look at the timeframe for distributing media and how it relates to the election calendar, particularly when it comes to early voting and the use of absentee ballots.

Michael Brandi, Executive Director, SEEC: He expresses general comments on the bill. States that the definition of "candidate" should be clarified, particularly by using the Title 9 definition which is more precise than what is currently in the bill. States that not all candidates have primaries and has concern that candidates who do have primaries would not be protected by these limitations if their primary is more than 90 days from a general election.

Also states that it is not clear where this bill would end up in Connecticut's statutes and to what degree SEEC or the Chief State's Attorney would be able to investigate or levy penalties against potential offenders.

NATURE AND SOURCES OF SUPPORT:

Pua Ford, Media Issues Specialist, League of Women Voters of CT: Supports this bill because the spread of misinformation through electronic means could include the use of Artificial Intelligence, which this bill looks to address. States that this bill will not prevent all disinformation or misinformation but will be helpful in educating voters and ensure they are viewing factual information.

Helen Humphreys, Communications Coordinator, Connecticut Citizen Action Group: Supports this bill because she believes that we must protect voters from misinformation and deceptive media, including deep fakes and AI-generated content.

NATURE AND SOURCES OF OPPOSITION:

Tim Wilkerson, President, NECTA: States that they share the committee's concern about deceptive content related to elections, they have concerns about this bill and how it would affect broadcasters. States that, in the name of transparency, news outlets should be allowed to broadcast deepfakes during their programs in order to educate and warn the public on synthetic media, which this bill should account for. Also states that visual reviewers are no better positioned than members of the public to recognize deepfakes, and that this bill should not apply to broadcasters who unknowingly broadcast certain content.

Several individuals expressed opposition to this bill.

These individuals include:

Krystin D'Amato
Nicholas D'Amato
Jermaine Cruz
Mr. Glenn Fuoco

GENERAL COMMENTS:

Michael Ryan, Executive Director, CT Broadcasters Association: While he understands the need to address concerns about deceptive synthetic political information, he has several concerns about this bill. States that this bill could hold broadcasters liable for broadcasting deceptive political information unknowingly, as they should not be responsible for determining the deceptiveness of political ads. Also states that there should be language in the bill that penalties should not apply to radio or television broadcasters and should not apply to content that can be deemed parody or satire.

Reported by: Gabriel Marques, Assistant Clerk Date: 4/4/2024