



General Assembly

**Amendment**

February Session, 2024

LCO No. 5410



Offered by:

REP. BLUMENTHAL, 147<sup>th</sup> Dist.

SEN. MARONEY, 14<sup>th</sup> Dist.

To: Subst. House Bill No. 5450

File No. 415

Cal. No. 271

**"AN ACT CONCERNING ARTIFICIAL INTELLIGENCE, DECEPTIVE  
SYNTHETIC MEDIA AND ELECTIONS."**

1 Strike everything after the enacting clause and substitute the  
2 following in lieu thereof:

3 "Section 1. (NEW) (*Effective July 1, 2024*) (a) As used in this section:

4 (1) "Artificial intelligence" means a machine-based system that (A)  
5 can, for a given set of human-defined objectives, make predictions,  
6 recommendations or decisions influencing real or virtual environments,  
7 and (B) uses machine and human-based inputs to (i) perceive real and  
8 virtual environments, (ii) abstract such perceptions into models through  
9 analysis in an automated manner, and (iii) formulate options for  
10 information or action through model inference;

11 (2) "Candidate" means any individual who seeks nomination for  
12 election, or election to public office whether or not such individual is  
13 elected;

14 (3) "Deceptive synthetic media" means any image, audio or video of  
15 an individual, and any representation of such individual's speech or  
16 conduct that is substantially derived from any such image, audio or  
17 video, which (A) a reasonable person would believe depicts the speech  
18 or conduct of such individual when such individual did not in fact  
19 engage in such speech or conduct, and (B) was generated, in whole or in  
20 part, through the use of artificial intelligence or other means;

21 (4) "Election" has the same meaning as provided in section 9-1 of the  
22 general statutes;

23 (5) "Individual" means a human being;

24 (6) "Person" has the same meaning as provided in section 9-601 of the  
25 general statutes; and

26 (7) "Primary" has the same meaning as provided in section 9-372 of  
27 the general statutes.

28 (b) Except as provided in subsection (c) of this section, no person shall  
29 distribute, or enter into any agreement to distribute, a communication  
30 containing any image, audio or video of an individual during the  
31 ninety-day period preceding any election or primary if:

32 (1) Such person (A) knows or should reasonably know that such  
33 image, audio or video is deceptive synthetic media, or (B) in the case  
34 where the individual depicted therein is a public official or public figure,  
35 acts with reckless disregard as to whether such image, audio or video is  
36 deceptive synthetic media;

37 (2) The communication containing such deceptive synthetic media is  
38 distributed without the consent of such individual; and

39 (3) Such distribution is intended to injure a candidate or influence the  
40 result of such election or primary.

41 (c) A person may distribute, or enter into an agreement to distribute,  
42 a communication containing deceptive synthetic media during the

43 ninety-day period preceding a primary or election if:

44 (1) For such deceptive synthetic media that:

45 (A) Is an image or consists only of an image, (i) a disclaimer stating  
46 "This communication contains an image that has been manipulated" or  
47 "This image has been manipulated", as applicable, or using substantially  
48 the same words, appears in text that is clearly visible to and easily  
49 readable by the average viewer and is not smaller than the largest font  
50 size of any other text appearing in such communication, and (ii) in the  
51 case of any such image that was generated by editing or manipulating  
52 an existing image, a citation directing such viewer to the original source  
53 from which the unedited or unmanipulated version of such existing  
54 image was obtained;

55 (B) Consists only of audio, (i) a disclaimer stating "This  
56 communication contains audio that has been manipulated", or using  
57 substantially the same words, is read in a clearly spoken manner, in a  
58 pitch that can be easily heard by the average listener and in the same  
59 language as the deceptive synthetic media and any other language such  
60 person should reasonably expect such listener to speak or understand,  
61 and which disclaimer shall be so read at the beginning of such  
62 communication, at the end of such communication and, if such  
63 communication is greater than one minute in length, interspersed  
64 within such communication at not less frequently than thirty-second  
65 intervals, and (ii) in the case of any such audio that was generated by  
66 editing or manipulating existing audio, a citation directing such listener  
67 to the original source from which the unedited or unmanipulated  
68 version of such existing audio was obtained; or

69 (C) Is a video, (i) a disclaimer stating "This communication contains  
70 video that has been manipulated", or using substantially the same  
71 words, appears in text that is clearly visible to and easily readable by the  
72 average viewer, is not smaller than the largest font size of any other text  
73 appearing in such communication and is in the same language as the  
74 deceptive synthetic media and any other language such person should

75 reasonably expect such viewer to speak or understand, and which  
76 disclaimer shall appear for the duration of such communication, and (ii)  
77 in the case of any such video that was generated by editing or  
78 manipulating an existing video, a citation directing such viewer to the  
79 original source from which the unedited or unmanipulated version of  
80 such existing video was obtained; or

81 (2) Such person is:

82 (A) A radio station or television station, whether broadcast, cable or  
83 satellite and including, but not limited to, any producer or programmer  
84 or any certified competitive video service provider, community antenna  
85 television company, holder of a certificate of cable franchise authority  
86 or holder of a certificate of video franchise authority, as those terms are  
87 defined in section 16-1 of the general statutes, or a streaming or other  
88 digital broadcast service provider, that (i) broadcasts such  
89 communication containing deceptive synthetic media as part of a bona  
90 fide newscast, news interview, news documentary or other on-the-spot  
91 coverage of bona fide news events, (ii) (I) retains the disclaimer upon  
92 such communication required under subdivision (1) of this subsection,  
93 or (II) except in the case of any such on-the-spot coverage, adds such a  
94 disclaimer at the time of such broadcast if such communication did not  
95 previously include such a disclaimer, and (iii) except in the case of any  
96 such on-the-spot coverage for which such person does not have reason  
97 to believe that such communication contains deceptive synthetic media,  
98 clearly states in the content of such broadcast that such communication  
99 contains deceptive synthetic media; or

100 (B) An Internet web site or regularly published newspaper, magazine  
101 or other periodical of general circulation, including, but not limited to,  
102 any regularly published periodical of general circulation that is  
103 published electronically or on the Internet, that (i) publishes such  
104 communication containing deceptive synthetic media as part of such  
105 person's routine carriage of news and commentary of general interest,  
106 (ii) (I) retains the disclaimer upon such communication required under  
107 subdivision (1) of this subsection, or (II) adds such a disclaimer at the

108 time of such publication if such communication did not previously  
109 include such a disclaimer, and (iii) clearly states in the content of such  
110 publication that such communication contains deceptive synthetic  
111 media.

112 (d) Whenever a person purchases advertising space for the broadcast  
113 of a communication described in section 9-621 of the general statutes,  
114 which broadcast is by an entity described in subparagraph (A) of  
115 subdivision (2) of subsection (c) of this section, such entity may require  
116 that such person attest, under penalties of false statement, that such  
117 communication does not contain any deceptive synthetic media. It shall  
118 be an affirmative defense to liability under this section for such person  
119 to have so attested, unless such entity develops knowledge that such  
120 communication contains deceptive synthetic media.

121 (e) (1) Any person who violates the provisions of subsection (b) of this  
122 section, with knowledge that such person is distributing or entering into  
123 an agreement to distribute a communication containing deceptive  
124 synthetic media, shall be guilty of a class C misdemeanor, except that:

125 (A) If such violation was committed with the intent to cause violence  
126 or bodily harm, or to distribute deceptive synthetic media to an  
127 audience and such audience exceeds ten thousand individuals, such  
128 person shall be guilty of a class A misdemeanor; and

129 (B) If such violation was committed less than five years after a prior  
130 conviction under subsection (b) of this section, such person shall be  
131 guilty of a class D felony.

132 (2) Any penalty imposed under subdivision (1) of this subsection  
133 shall be in addition to any injunctive or other equitable relief or any  
134 general or special damages ordered under subsection (f) of this section.

135 (f) (1) (A) The Attorney General, an individual described in  
136 subsection (b) of this section, or a candidate who has been or is likely to  
137 be injured by the distribution of a communication containing deceptive  
138 synthetic media in violation of the provisions of said subsection, may

139 commence a civil action in a court of competent jurisdiction seeking to  
140 permanently enjoin any person whose violation of the provisions of said  
141 subsection is reasonably believed to be imminent, or who is in the course  
142 of violating the provisions of said subsection, and other equitable relief.

143 (B) An individual described in subsection (b) of this section, or a  
144 candidate who has been injured by the distribution of a communication  
145 containing deceptive synthetic media in violation of the provisions of  
146 said subsection, may commence a civil action in a court of competent  
147 jurisdiction seeking to recover general or special damages resulting  
148 from such distribution.

149 (2) In any civil action commenced under subdivision (1) of this  
150 subsection, the plaintiff shall bear the burden of proving by clear and  
151 convincing evidence that the defendant distributed, or will imminently  
152 distribute, a communication containing deceptive synthetic media in  
153 violation of the provisions of subsection (b) of this section.

154 (3) Any party, other than the Attorney General, who prevails in a civil  
155 action commenced under subdivision (1) of this subsection shall be  
156 awarded reasonable attorney's fees and costs to be taxed by the court.

157 (g) The provisions of subsections (a) to (f), inclusive, of this section  
158 shall not apply to (1) any image, audio or video of an individual, or any  
159 representation of an individual's speech or conduct that is substantially  
160 derived from an image, audio or video, that constitutes parody or satire,  
161 provided a reasonable person would not believe that such individual in  
162 fact engaged in speech or conduct as depicted in such image, audio or  
163 video, or (2) any political advertising or campaign communication the  
164 distribution of which is required by law, including, but not limited to,  
165 47 USC 315 and any rule or regulation prescribed thereunder, as  
166 amended from time to time."

This act shall take effect as follows and shall amend the following sections:		
Section 1	July 1, 2024	New section