

MAINE STATE LEGISLATURE

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132nd MAINE LEGISLATURE

FIRST SPECIAL SESSION-2025

Legislative Document

No. 1690

H.P. 1125

House of Representatives, April 17, 2025

An Act Regarding Artificial Intelligence in Campaign Advertising

Reference to the Committee on Veterans and Legal Affairs suggested and ordered printed.

A handwritten signature in cursive script that reads "Robert B. Hunt".

ROBERT B. HUNT
Clerk

Presented by Representative KUHN of Falmouth.

Cosponsored by Representatives: CLOUTIER of Lewiston, MALON of Biddeford, POIRIER of Skowhegan, PUGH of Portland, SAYRE of Kennebunk, SUPICA of Bangor.

1 **Be it enacted by the People of the State of Maine as follows:**

2 **Sec. 1. 21-A MRSA §1014, sub-§4**, as amended by IB 2015, c. 1, §4, is further
3 amended to read:

4 **4. Enforcement.** A violation of this section may result in a civil penalty of no more
5 than 100% of the amount of the expenditure in violation, except that a violation of
6 subsection 5-B may result in a penalty of no more than 500% of the amount of the
7 expenditure in violation and except that an expenditure for yard signs lacking the required
8 information may result in a maximum civil penalty of \$200. In assessing a civil penalty,
9 the commission shall consider, among other things, how widely the communication was
10 disseminated, whether the violation was intentional, whether the violation occurred as the
11 result of an error by a printer or other paid vendor and whether the communication conceals
12 or misrepresents the identity of the person who financed it. If the person who financed the
13 communication or who committed the violation corrects the violation within 10 days after
14 receiving notification of the violation from the commission by adding the missing
15 information to the communication, the commission may decide to assess no civil penalty,
16 except for violations of subsection 5-B.

17 **Sec. 2. 21-A MRSA §1014, sub-§5-B** is enacted to read:

18 **5-B. Use of synthetic media in political communications.** A person or an entity
19 required to provide a disclosure under this section shall disclose, as part of the required
20 disclosure, when an image, audio or video used in a communication has been materially
21 manipulated or altered and the communication contains synthetic media. The disclosure
22 must include the words "THIS COMMUNICATION CONTAINS AUDIO, VIDEO
23 AND/OR IMAGES THAT HAVE BEEN MANIPULATED OR ALTERED."

24 The commission shall establish by routine technical rule, adopted in accordance with Title
25 5, chapter 375, subchapter 2-A, criteria regarding size and placement of the disclosure
26 required under this subsection.

27 A. For purposes of this subsection, "deceptive or fraudulent political communication"
28 means synthetic media that depicts a candidate or political party with the intent to injure
29 the reputation of the candidate or political party or otherwise deceive a voter and that:

30 (1) Appears to a reasonable person to depict a real individual saying or doing
31 something that did not actually occur; or

32 (2) Provides a reasonable person a materially different understanding or impression
33 of the appearance, action or speech than a reasonable person would have from an
34 unaltered, original version of an image, audio recording or video recording.

35 B. For purposes of this subsection, "synthetic media" means an image, an audio
36 recording or a video recording of an individual's appearance, speech or conduct that
37 has been created or intentionally manipulated with the use of digital technology or in
38 any other manner to create a materially deceptive or fraudulent political
39 communication.

40 C. This subsection does not apply to:

41 (1) A radio or television broadcasting station, including a cable or satellite
42 television operator, programmer or producer, that broadcasts synthetic media as
43 part of a bona fide newscast, news interview, news documentary or on-the-spot

1 coverage of a bona fide news event, if the broadcast clearly acknowledges through
2 content or a disclosure, in a manner that can be easily heard or read by the average
3 listener or viewer, that there are questions about the authenticity of the synthetic
4 media or in cases where federal law requires broadcasters to air advertisements
5 from legally qualified candidates as defined by 47 Code of Federal Regulations,
6 Section 73.1940 (2022);

7 (2) A radio or television broadcasting station, including a cable or satellite
8 television operator, programmer or producer, when it is paid to broadcast synthetic
9 media and has made a good faith effort to establish the depiction is not a deceptive
10 or fraudulent political communication or in cases where federal law requires
11 broadcasters to air advertisements from legally qualified candidates as defined by
12 47 Code of Federal Regulations, Section 73.1940 (2022);

13 (3) A website or a regularly published newspaper, magazine or other periodical of
14 general circulation, including an Internet or electronic publication, that routinely
15 carries news and commentary of general interest and that publishes a deceptive or
16 fraudulent political communication, if the publication clearly states that the
17 deceptive or fraudulent political communication does not accurately represent the
18 speech or conduct of the candidate; and

19 (4) Materially deceptive audio or visual media that constitutes satire or parody.

20 D. In addition to any other remedy that may be available, the commission may bring a
21 civil action in the Superior Court for injunctive or other appropriate equitable relief in
22 order to prohibit the dissemination of synthetic media in violation of this subsection.
23 If the court finds a violation of this subsection, the court may award to the commission
24 the costs of the action together with reasonable attorney's fees as determined by the
25 court.

26 SUMMARY

27 This bill requires a person or an entity to disclose when an image, audio recording or
28 video recording used in a political communication has been materially manipulated by
29 artificial intelligence or by other means. The bill establishes that a violation of the
30 requirement may result in a penalty of no more than 500% of the amount of the expenditure
31 in violation and provides exemptions for certain categories of political communications.