

2025 -- H 5872 SUBSTITUTE A

LC002286/SUB A/2

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2025

A N A C T

RELATING TO ELECTIONS -- DECEPTIVE AND FRAUDULENT SYNTHETIC MEDIA IN  
ELECTION COMMUNICATIONS

Introduced By: Representative Jacquelyn M. Baginski

Date Introduced: February 28, 2025

Referred To: House State Government & Elections

(Secretary of State)

It is enacted by the General Assembly as follows:

SECTION 1. Title 17 of the General Laws entitled "ELECTIONS" is hereby amended by  
adding thereto the following chapter:

CHAPTER 30

DECEPTIVE AND FRAUDULENT SYNTHETIC MEDIA IN ELECTION

COMMUNICATIONS

**17-30-1. Deceptive synthetic media.**

(a) For purposes of this chapter, "candidate" means and includes an incumbent or current  
office holder.

(b) For purposes of this chapter, "synthetic media" means an image, an audio recording, or  
a video recording of an individual's appearance, speech, or conduct that has been intentionally  
manipulated with the use of generative adversarial network techniques or other digital technology  
to create a realistic but false image, audio, or video that produces:

(1) A depiction that, to a reasonable individual, appears to be a real individual in terms of  
appearance, action, or speech, but that did not occur in reality; and

(2) A fundamentally different understanding or impression of the appearance, action, or  
speech than a reasonable person would have from the unaltered, original version of the image, audio  
recording, or video recording.

(c) A candidate, authorized candidate campaign committee, political action committee,

1 political party committee, or person or entity making an independent expenditure as defined in §  
2 17-25-3 shall not, within ninety (90) days of any election at which a candidate for elective office  
3 will appear on a ballot, distribute synthetic media that the candidate, authorized candidate campaign  
4 committee, political action committee, political party committee, or person or entity making an  
5 independent expenditure as defined in § 17-25-3 knows or should know is deceptive and fraudulent  
6 synthetic media, as defined in subsection (b) of this section.

7 (d)(1) The prohibition in subsection (c) of this section does not apply if the image, audio  
8 recording, or video recording includes a disclosure stating that the image has been manipulated or  
9 generated by artificial intelligence.

10 (2) For visual media, the text of the disclosure shall appear in a size that is easily readable  
11 by the average viewer, and no smaller than the largest font size of any other text appearing in the  
12 visual media. If the visual media does not include any other text, the disclosure shall appear in a  
13 size that is easily readable by the average viewer. For visual media that is a video, the disclosure  
14 shall appear for the duration of the video.

15 (3) If the media consists of audio only, and no visual disclosure is feasible, the disclosure  
16 shall be read in a clearly spoken manner, and in a speed and pitch that can be easily heard by the  
17 average listener, at the beginning of the audio, at the end of the audio, and, if the audio is greater  
18 than two (2) minutes in length, interspersed within the audio at intervals of not greater than two (2)  
19 minutes.

20 **17-30-2. Right of action.**

21 (a) A candidate whose appearance, actions, or speech are depicted through the use of  
22 synthetic media in violation of § 17-30-1 may seek injunctive or other equitable relief from a  
23 candidate, authorized candidate campaign committee, political action committee, political party  
24 committee, or person or entity making an independent expenditure as defined in § 17-25-3  
25 prohibiting the distribution of audio or visual synthetic media in violation of this chapter.

26 (b) A candidate whose appearance, actions, or speech are depicted using synthetic media  
27 may also bring an action for general or special damages against a candidate, authorized candidate  
28 campaign committee, political action committee, political party committee, or person or entity  
29 making an independent expenditure as defined in § 17-25-3 that generated the synthetic media. The  
30 court may also award a prevailing party reasonable attorneys' fees and costs. This subsection shall  
31 not be construed to limit or preclude a plaintiff from recovering under any other available remedy.

32 (c) In any civil action alleging a violation of this chapter, the plaintiff shall bear the burden  
33 of establishing the violation through clear and convincing evidence.

34 **17-30-3. Application.**

1           (a) The provisions of this chapter shall not apply to the following:

2           (1) A radio or television broadcasting station, including a cable or satellite television

3 operator and their affiliates, programmer, or producer, or mobile application or streaming service

4 that exhibits, distributes, or broadcasts synthetic media as prohibited by this chapter provided that

5 they are not distributing synthetic media as a political action committee or entity making an

6 independent expenditure as defined in § 17-25-3;

7           (2) An Internet website, or a regularly published newspaper, magazine, or other periodical

8 of general circulation, including an Internet or electronic publication, that routinely carries news

9 and commentary of general interest, and that publishes synthetic media as prohibited by this

10 chapter, if the publication clearly states that the synthetic media does not accurately represent the

11 speech or conduct of the candidate;

12           (3) Synthetic media that constitutes satire or parody; or

13           (4) An interactive computer service as defined in 47 U.S.C. § 230.

14           (b) The provisions of this chapter shall not restrict the ability of a person to detect, prevent,

15 respond to, or protect against security incidents, identity theft, fraud, harassment, malicious or

16 deceptive activities, or any illegal activity, or preserve the integrity or security of systems or

17 investigate, report, or prosecute those responsible for any such action.

18           **17-30-4. Severability.**

19           The provisions of this chapter are severable. If any provision of this chapter or its

20 application is held to be invalid, such holding shall not affect other provisions or applications that

21 can be given effect without the invalid provision.

22           SECTION 2. This act shall take effect upon passage.

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EXPLANATION  
BY THE LEGISLATIVE COUNCIL  
OF  
A N A C T  
RELATING TO ELECTIONS -- DECEPTIVE AND FRAUDULENT SYNTHETIC MEDIA IN  
ELECTION COMMUNICATIONS

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- 1           This act would create the deceptive and fraudulent synthetic media in election
- 2   communications chapter to regulate the use of synthetic media in elections.
- 3           This act would take effect upon passage.

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