



General Assembly

Amendment

January Session, 2025

LCO No. 8808



Offered by:

REP. BLUMENTHAL, 147th Dist.

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To: Subst. House Bill No. 6846

File No. 143

Cal. No. 117

**"AN ACT CONCERNING THE USE OF ARTIFICIAL INTELLIGENCE
AND OTHER MEANS TO GENERATE DECEPTIVE SYNTHETIC
MEDIA AND AFFECT ELECTIONS."**

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

3 "Section 1. (NEW) (*Effective July 1, 2025*) (a) As used in this section:

4 (1) "Candidate" means any individual who seeks nomination for
5 election, or election to public office whether or not such individual is
6 elected;

7 (2) "Deceptive synthetic media" means any image, audio or video of
8 an individual, and any representation of such individual's speech or
9 conduct that is substantially derived from any such image, audio or
10 video, which a reasonable person would believe depicts the speech or
11 conduct of such individual when such individual did not in fact engage
12 in such speech or conduct;

13 (3) "Election" has the same meaning as provided in section 9-1 of the
14 general statutes;

15 (4) "Individual" means a human being;

16 (5) "Person" has the same meaning as provided in section 9-601 of the
17 general statutes; and

18 (6) "Primary" has the same meaning as provided in section 9-372 of
19 the general statutes.

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

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

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

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

33 (c) A person may distribute, or enter into an agreement to distribute,
34 a communication containing deceptive synthetic media during the
35 ninety-day period preceding a primary or election if:

36 (1) For such deceptive synthetic media that:

37 (A) Is an image or consists only of an image, (i) a disclaimer stating
38 "This communication contains an image that has been manipulated" or
39 "This image has been manipulated", as applicable, or using substantially
40 the same words, appears in text that is clearly visible to and easily

41 readable by the average viewer, and (ii) in the case of any such image
42 that was generated by editing or manipulating an existing image, a
43 citation directing such viewer to the original source from which the
44 unedited or unmanipulated version of such existing image was
45 obtained;

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

60 (C) Is a video, (i) a disclaimer stating "This communication contains
61 video that has been manipulated", or using substantially the same
62 words, appears in text that is clearly visible to and easily readable by the
63 average viewer and is in the same language as the deceptive synthetic
64 media and any other language such person should reasonably expect
65 such viewer to speak or understand, and which disclaimer appears for
66 the duration of such communication, and (ii) in the case of any such
67 video that was generated by editing or manipulating an existing video,
68 a citation directing such viewer to the original source from which the
69 unedited or unmanipulated version of such existing video was
70 obtained; or

71 (2) Such person is:

72 (A) A radio station or television station, whether broadcast, cable or

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

90 (B) An Internet web site or regularly published newspaper, magazine
91 or other periodical of general circulation, including, but not limited to,
92 any regularly published periodical of general circulation that is
93 published electronically or on the Internet, that (i) publishes such
94 communication containing deceptive synthetic media as part of such
95 person's routine carriage of news and commentary of general interest,
96 (ii) (I) retains the disclaimer upon such communication required under
97 subdivision (1) of this subsection, or (II) adds such a disclaimer at the
98 time of such publication if such communication did not previously
99 include such a disclaimer, and (iii) clearly states in the content of such
100 publication that such communication contains deceptive synthetic
101 media.

102 (d) Whenever a person purchases advertising space for the broadcast
103 of a communication described in section 9-621 of the general statutes,
104 which broadcast is by an entity described in subparagraph (A) of
105 subdivision (2) of subsection (c) of this section, such entity shall require

106 that such person attest, under penalties of false statement, that such
107 communication does not contain any deceptive synthetic media. If such
108 entity obtains such attestation from such person, such entity shall not be
109 liable under this section, unless such entity (1) develops knowledge that
110 such communication contains deceptive synthetic media, and (2) with
111 such knowledge, proceeds to distribute, continue to distribute or enter
112 into an agreement to distribute such communication containing
113 deceptive synthetic media.

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

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

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

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

128 (f) (1) (A) The Attorney General, an individual described in
129 subsection (b) of this section, or a candidate who alleges that such
130 candidate has been or is likely to be injured by the distribution of a
131 communication containing deceptive synthetic media in violation of the
132 provisions of said subsection, may commence a civil action in a court of
133 competent jurisdiction seeking to permanently enjoin any person whose
134 violation of the provisions of said subsection is reasonably believed to
135 be imminent, or who is in the course of violating the provisions of said
136 subsection, and other equitable relief.

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

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

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

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

161 (2) It shall not be a violation of the provisions of subsection (b) of this
162 section for a person who is required to distribute, or who is required to
163 enter into an agreement to distribute, any communication containing
164 deceptive synthetic media to do so for the purpose of complying with
165 the prohibition set forth in 47 USC 315, or any rule or regulation
166 prescribed thereunder, as amended from time to time, against
167 censorship over the material broadcast by a legally qualified candidate,
168 as defined in 47 CFR 73.1940, as amended from time to time.

169 (3) Nothing in this section shall be construed to impose liability on a
170 person engaged in the provision of (A) broadband Internet service, as
171 defined in 47 CFR 8, as amended from time to time, or a
172 telecommunications service, as defined in section 16-247a of the general
173 statutes, for the transmission of content provided by another person or
174 for the routine delivery of an electronic mail message, as defined in
175 section 53-454 of the general statutes, or (B) direct-to-home satellite
176 services, as defined in 47 USC 303, as amended from time to time, or any
177 affiliate of a person providing the services described in this
178 subparagraph."

This act shall take effect as follows and shall amend the following sections:

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| Section 1 | July 1, 2025 | New section |
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