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S.23

Introduced by Senators Hardy, Clarkson, Collamore, Norris, Vyhovsky,
Watson and White

Referred to Committee on Government Operations

Date: January 22, 2025

Subject: Elections; offenses against the purity of elections; synthetic media

Statement of purpose of bill as introduced: This bill proposes to require the
disclosure of deceptive and fraudulent synthetic media within 90 days of an
election.

An act relating to the use of synthetic media in elections

It is hereby enacted by the General Assembly of the State of Vermont:

~~Sec. 1, 17 V.S.A., chapter 35, subchapter 4 is added to read:~~

Subchapter 4. Use of Synthetic Media in Elections

§ 2031. DEFINITIONS

As used in this subchapter:

(1) “Deceptive and fraudulent synthetic media” means synthetic media
that creates a representation of an individual or individuals with the intent to
injure the reputation of a candidate, to influence the outcome of an election, or
to otherwise deceive a voter, in a manner that.

1 ~~(A) appears to a reasonable person to represent an individual saying~~
2 ~~or doing something that did not occur; or~~

3 ~~(B) provides a reasonable person with a fundamentally different~~
4 ~~understanding or impression of the appearance, speech, conduct, or~~
5 ~~environment that a reasonable person would have from an unaltered and~~
6 ~~original version of the image, audio recording, or video recording.~~

7 ~~(2) "Synthetic media" means an image, an audio recording, or a video~~
8 ~~recording of an individual's appearance, speech, conduct, or environment that~~
9 ~~has been created or intentionally manipulated with the use of digital~~
10 ~~technology, including artificial intelligence, in a manner that creates a realistic~~
11 ~~but false representation of the candidate.~~

12 § 2032. DISCLOSURE OF A DECEPTIVE AND FRAUDULENT

13 SYNTHETIC MEDIA

14 (a) Disclosure. A person shall not, within 90 days of an election at which a
15 candidate for elective office will appear on the ballot, publish, communicate,
16 or otherwise distribute a synthetic media message that the person knows or
17 should have known is a deceptive and fraudulent synthetic media of a
18 candidate on the ballot, unless the synthetic media includes a disclosure
19 stating: "This media has been created or intentionally manipulated by digital
20 technology or artificial intelligence."

1 ~~(1) For deceptive and fraudulent synthetic media consisting of images~~
2 ~~and video recordings, the text of the disclosure shall appear in a size that is~~
3 ~~easily readable by the average viewer and not smaller than the largest font size~~
4 ~~of other text appearing in the visual media. If the image or video recording~~
5 ~~does not include any other text, the disclosure shall appear in a size that is~~
6 ~~easily readable by the average viewer. For video recordings, the disclosure~~
7 ~~shall appear for the full duration of the video recording.~~

8 ~~(2) For deceptive and fraudulent synthetic media consisting of audio~~
9 ~~recordings only, the disclosure shall be read in a clearly spoken manner and in~~
10 ~~a pitch that can be easily heard by the average listener, at the beginning of the~~
11 ~~audio recording, at the end of the audio recording, and, if the audio is greater~~
12 ~~than two minutes in length, interspersed within the audio recording at intervals~~
13 ~~of not greater than two minutes each.~~

14 ~~(b) Exceptions.~~

15 ~~(1) Subsection (a) of this section shall not apply to a radio or television~~
16 ~~broadcasting station, including a cable or satellite television operator,~~
17 ~~programmer, or producer, that broadcasts deceptive and fraudulent synthetic~~
18 ~~media as part of a bona fide newscast, news interview, news documentary, or~~
19 ~~on-the-spot coverage of bona fide news events, if the broadcast clearly~~
20 ~~acknowledges through content or a disclosure, in a manner that can be easily~~
21 ~~heard or read by the average listener or viewer, that there are questions about~~

1 ~~the authenticity of the deceptive and fraudulent synthetic media, or in cases~~
2 where federal law requires broadcasters to air advertisements from legally
3 qualified candidates.

4 (2) Subsection (a) of this section shall not apply to a radio or television
5 broadcasting station, including a cable or satellite television operator,
6 programmer, or producer, when it is paid to broadcast deceptive and fraudulent
7 synthetic media after making a good faith effort to establish that the
8 representation is not deceptive and fraudulent synthetic media, or in cases
9 where federal law requires broadcasters to air advertisements from legally
10 qualified candidates.

11 (3) Subsection (a) of this section shall not apply to an internet website
12 or a regularly published newspaper, magazine, or other periodical of general
13 circulation, including an internet or electronic publication, that routinely
14 carries news and commentary of general interest, and that publishes deceptive
15 and fraudulent synthetic media, if the publication clearly states that the
16 deceptive and fraudulent synthetic media does not accurately represent the
17 speech or conduct of the represented individual.

18 (4) Subsection (a) of this section shall not apply to deceptive and
19 fraudulent synthetic media that constitutes satire or parody.

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2033. PENALTIES

(a) A person that knowingly and intentionally violates a provision of this subchapter shall be fined not more than \$1,000.00, unless:

(1) the person commits the violation with the intent to cause violence or bodily harm, in which case the fine shall be not more than \$5,000.00;

(2) the person commits the violation within five years after one or more prior convictions under this section, in which case the fine shall be not more than \$10,000.00; or

(3) the person commits the violation with the intent to cause violence or bodily harm and the person commits the violation within five years after one or more prior convictions under this section, in which case the fine shall be not more than \$15,000.00.

(b) A candidate whose appearance, speech, conduct, or environment is misrepresented through the use of deceptive and fraudulent synthetic media in violation of section 2032 of this title may seek injunctive or other equitable relief prohibiting the publication, communication, or other distribution of such deceptive and fraudulent synthetic media.

Sec. 2. 17 V.S.A. chapter 35, subchapter 5 is added to read:

Subchapter 5. Enforcement and Additional Remedies

~~§ 2041. INJUNCTIONS~~

~~In addition to the other penalties provided in this chapter, a State's Attorney or the Attorney General may institute any appropriate action, injunction, or other proceeding to prevent, restrain, correct, or abate any violation of this chapter.~~

Sec. 3. EFFECTIVE DATE

~~This act shall take effect on passage.~~

~~Sec. 1. 17 V.S.A. chapter 33, subchapter 4 is added to read:~~

~~*Subchapter 4. Use of Synthetic Media in Elections*~~

~~§ 2031. DEFINITIONS~~

~~*As used in this subchapter:*~~

~~(1) "Deceptive and fraudulent synthetic media" means synthetic media that creates a representation of an individual or individuals with the intent to injure the reputation of a candidate, to influence the outcome of an election, or to otherwise deceive a voter, in a manner that:~~

~~(A) appears to a reasonable person to be an authentic recording of an individual saying or doing something that did not occur; or~~

~~(B) provides a reasonable person with a fundamentally different understanding or impression of the appearance, speech, conduct, or environment that a reasonable person would have from an unaltered and original version of the image, audio recording, or video recording.~~

~~(2) "Synthetic media" means an image, an audio recording, or a video recording of an individual's appearance, speech, conduct, or environment that has been created or intentionally manipulated with the use of digital technology, including artificial intelligence, in a manner that creates a realistic but false representation of the candidate.~~

~~§ 2032. DISCLOSURE OF A DECEPTIVE AND FRAUDULENT SYNTHETIC MEDIA~~

~~(a) Disclosure. A person shall not, within 90 days before an election in which a candidate for elective office will appear on the ballot, publish,~~

~~media of a candidate on the ballot, unless the person includes a disclosure in the synthetic media stating: "This media has been created or intentionally manipulated by digital technology or artificial intelligence."~~

~~(a) Disclosure. A person shall not, within 90 days before an election in Vermont, publish, communicate, or otherwise distribute synthetic media that the person knows or should have known is deceptive and fraudulent synthetic media unless the person includes a disclosure in the synthetic media stating: "This media has been created or intentionally manipulated by digital technology or artificial intelligence."~~

~~(1) For deceptive and fraudulent synthetic media consisting of images and video recordings, the text of the disclosure shall appear in a size that is easily readable by the average viewer and not smaller than the largest font size of other text appearing in the visual media. If the image or video recording does not include any other text, the disclosure shall appear in a size that is easily readable by the average viewer. For video recordings, the disclosure shall appear for the full duration of the video recording.~~

~~(2) For deceptive and fraudulent synthetic media consisting of audio recordings only, the disclosure shall be read in a clearly spoken manner and in a pitch and pace that can be easily heard by the average listener, at the beginning of the audio recording, at the end of the audio recording, and, if the audio is greater than two minutes in length, interspersed within the audio recording at intervals of not greater than two minutes each.~~

~~(b) Exceptions. Subsection (a) of this section shall not apply to:~~

~~(1) a radio or television broadcasting station, including a cable or satellite television operator, programmer, or producer, or to a website, streaming platform, or mobile application, that:~~

~~(A) broadcasts deceptive and fraudulent synthetic media as part of a bona fide newscast, news interview, news documentary, or on-the-spot coverage of bona fide news events, so long as the broadcast clearly acknowledges through content or a disclosure, in a manner that can be easily heard or read by the average listener or viewer, that there are questions about the authenticity of the deceptive and fraudulent synthetic media;~~

~~(B) is paid to broadcast deceptive and fraudulent synthetic media; or~~

~~(C) is required by federal law to broadcast advertisements from legally qualified candidates;~~

~~(2) a website or a regularly published newspaper, magazine, or other periodical of general circulation, including an internet or electronic~~

publication, that routinely carries news and commentary of general interest, and that publishes deceptive and fraudulent synthetic media, if the publication clearly states that the deceptive and fraudulent synthetic media does not accurately represent the speech or conduct of the represented individual;

(3) a person that produces deceptive and fraudulent synthetic media constituting satire or parody;

(4) a provider of a telecommunications service or information service, as those terms are defined in the Communications Act of 1934, 47 U.S.C. § 153, for content provided by another person; or

(5) a provider of an interactive computer service, as defined in 47 U.S.C. § 230, for content provided by another person.

§ 2033. PENALTIES

(a) A person that knowingly and intentionally violates a provision of this subchapter shall be fined not more than \$1,000.00, unless:

(1) the person commits the violation with the intent to cause violence or bodily harm, in which case the fine shall be not more than \$5,000.00;

(2) the person commits the violation within five years after one or more prior convictions under this section, in which case the fine shall be not more than \$10,000.00; or

(3) the person commits the violation with the intent to cause violence or bodily harm and the person commits the violation within five years after one or more prior convictions under this section, in which case the fine shall be not more than \$15,000.00.

(b) A candidate whose appearance, speech, conduct, or environment is misrepresented through the use of deceptive and fraudulent synthetic media in violation of section 2032 of this title may seek injunctive or other equitable relief prohibiting the publication, communication, or other distribution of such deceptive and fraudulent synthetic media.

Sec. 2. 17 V.S.A. chapter 35, subchapter 5 is added to read:

Subchapter 5. Enforcement and Additional Remedies

§ 2041. INJUNCTIONS

In addition to the other penalties provided in this chapter, a State's Attorney or the Attorney General may institute any appropriate action, injunction, or other proceeding to prevent, restrain, correct, or abate any violation of this chapter.

Sec. 3. EFFECTIVE DATE

This act shall take effect on passage.

Sec. 4. 17 V.S.A. chapter 35, subchapter 4 is added to read:

Subchapter 4. Use of Synthetic Media in Elections

§ 2031. DEFINITIONS

As used in this subchapter:

(1) “Deceptive and fraudulent synthetic media” means synthetic media that appears to a reasonable person to be an authentic representation of a political candidate and that injures the reputation of the candidate or attempts to unduly influence the outcome of an election.

(2) “Synthetic media” means an image, an audio recording, or a video recording of a political candidate’s appearance, speech, or conduct that has been created or intentionally manipulated with the use of digital technology, including artificial intelligence, without the consent of the candidate.

§ 2032. DISCLOSURE OF A DECEPTIVE AND FRAUDULENT

SYNTHETIC MEDIA

(a) Disclosure. A person shall not, within 90 days before an election in Vermont, publish, communicate, or otherwise distribute synthetic media that the person knows is deceptive and fraudulent synthetic media unless the person includes a disclosure in the synthetic media stating: “This media has been created or intentionally manipulated by digital technology or artificial intelligence.”

(1) For deceptive and fraudulent synthetic media consisting of images and video recordings, the text of the disclosure shall appear in a size that is easily readable by the average viewer. For video recordings, the disclosure shall appear for the full duration of the video recording.

(2) For deceptive and fraudulent synthetic media consisting of audio recordings only, the disclosure shall be read in a clearly spoken manner and in a pitch and pace that can be easily heard by the average listener, at the beginning of the audio recording, at the end of the audio recording, and, if the audio is greater than two minutes in length, interspersed within the audio recording at intervals of not greater than two minutes each.

(b) Exceptions. Subsection (a) of this section shall not apply to:

(1) a radio or television broadcasting station, including a cable or satellite television operator, programmer, or producer, or to a website, streaming platform, or mobile application that:

~~(A) broadcasts deceptive and fraudulent synthetic media as part of a bona fide newscast, news interview, news documentary, commentary of general interest, or on-the-spot coverage of bona fide news events, so long as the broadcast clearly acknowledges through content or a disclosure, in a manner that can be easily heard or read by the average listener or viewer, that there are questions about the authenticity of the deceptive and fraudulent synthetic media;~~

~~(B) is paid to broadcast deceptive and fraudulent synthetic media; or~~

~~(C) is required by federal law to broadcast advertisements from legally qualified candidates;~~

~~(2) a website or a regularly published newspaper, magazine, or other periodical of general circulation, including an internet or electronic publication, that routinely carries news and commentary of general interest, and that publishes deceptive and fraudulent synthetic media, if the publication clearly states that the deceptive and fraudulent synthetic media does not accurately represent the speech or conduct of the represented individual;~~

~~(3) a person that produces or distributes deceptive and fraudulent synthetic media constituting satire or parody;~~

~~(4) a provider of a telecommunications service or information service, as those terms are defined in the Communications Act of 1934, 47 U.S.C. § 153, for content provided by another person; or~~

~~(5) a provider of an interactive computer service, as defined in 47 U.S.C. § 230, for content provided by another person.~~

§ 2033. PENALTIES

~~(a) A person that knowingly and intentionally violates a provision of this subchapter shall be fined not more than \$1,000.00, unless:~~

~~(1) the person commits the violation with the intent to cause violence or bodily harm, in which case the fine shall be not more than \$5,000.00;~~

~~(2) the person commits the violation within five years after one or more prior violations under this section, in which case the fine shall be not more than \$10,000.00; or~~

~~(3) the person commits the violation with the intent to cause violence or bodily harm and the person commits the violation within five years after one or more prior violations under this section, in which case the fine shall be not more than \$15,000.00.~~

~~(b) A candidate whose appearance, speech, conduct, or environment is misrepresented through the use of deceptive and fraudulent synthetic media is~~

violation of section 2032 of this title may seek injunctive or other equitable relief prohibiting the publication, communication, or other distribution of such deceptive and fraudulent synthetic media.

Sec. 2. 17 V.S.A. chapter 35, subchapter 5 is added to read:

Subchapter 5. Enforcement and Investigation

§ 2041. ENFORCEMENT

In addition to the other remedies provided in this chapter, a State's Attorney or the Attorney General may institute any appropriate action, injunction, or other proceeding to prevent, restrain, correct, or abate any violation of this chapter.

§ 2042. CIVIL INVESTIGATIONS

(a)(1) The Attorney General or a State's Attorney, whenever there is reason to believe any person to be or to have been in violation of this chapter, may examine or cause to be examined by any designated agent or representative any books, records, papers, memoranda, or physical objects of any nature bearing upon each alleged violation and may demand written responses under oath to questions bearing upon each alleged violation.

(2) The Attorney General or a State's Attorney may require the attendance of such person or of any other person having knowledge in the premises in the county where such person resides or has a place of business or in Washington County if such person is a nonresident or has no place of business within the State and may take testimony and require proof material for that person's information and may administer oaths or take acknowledgment in respect of any book, record, paper, or memorandum.

(3) The Attorney General or a State's Attorney shall serve notice of the time, place, and cause of such examination or attendance or notice of the cause of the demand for written responses personally or by certified mail upon such person at that person's principal place of business or, if such place is not known, to that person's known address. Such notice shall include a statement that a knowing and intentional violation of this chapter is subject to criminal prosecution.

(4) Any book, record, paper, memorandum, or other information produced by any person pursuant to this section shall not, unless otherwise ordered by a court of this State for good cause shown, be disclosed to any person other than the authorized agent or representative of the Attorney General or a State's Attorney or another law enforcement officer engaged in legitimate law enforcement activities unless with the consent of the person producing the same, except that any transcript of oral testimony, written

responses, documents, or other information produced pursuant to this section may be used in the enforcement of this chapter, including in connection with any civil action brought under this subchapter or subsection (c) of this section.

(5) Nothing in this subsection is intended to prevent the Attorney General or a State's Attorney from disclosing the results of an investigation conducted under this section, including the grounds for the decision as to whether to bring an enforcement action alleging a violation of this chapter or of any rule made pursuant to this chapter.

(6) This subsection shall not be applicable to any criminal investigation or prosecution brought under the laws of this or any state.

(b)(1) A person upon whom a notice is served pursuant to the provisions of this section shall comply with its terms unless otherwise provided by the order of a court of this State.

(2) Any person who, with intent to avoid, evade, or prevent compliance, in whole or in part, with any civil investigation under this section, removes from any place; conceals, withholds, or destroys; or mutilates, alters, or by any other means falsifies any documentary material in the possession, custody, or control of any person subject to such notice or mistakes or conceals any information shall be fined not more than \$5,000.00.

(c)(1) Whenever any person fails to comply with any notice served upon that person under this section or whenever satisfactory copying or reproduction of any such material cannot be done and the person refuses to surrender the material, the Attorney General or a State's Attorney may file, in the Superior Court in the county in which the person resides or of that person's principal place of business or in Washington County if the person is a nonresident or has no principal place of business in this State, and serve upon the person a petition for an order of the court for the enforcement of this section.

(2) Whenever any petition is filed under this section, the court shall have jurisdiction to hear and determine the matter so presented and to enter any order or orders as may be required to carry into effect the provisions of this section. Any disobedience of any order entered under this section by any court shall be punished as a contempt of the court.

(d) Any person aggrieved by a civil investigation conducted under this section may seek relief from Washington Superior Court or the Superior Court in the county in which the aggrieved person resides. Except for cases the court considers to be of greater importance, proceedings before Superior Court as authorized by this section shall take precedence on the docket over all other

cases.

~~Sec. 2. EFFECTIVE DATE~~

~~This act shall take effect on passage.~~

Sec. 1. 17 V.S.A. chapter 35, subchapter 4 is added to read:

Subchapter 4. Use of Synthetic Media in Elections

§ 2031. DEFINITIONS

As used in this subchapter:

(1) “Deceptive and fraudulent synthetic media” means synthetic media that appears to a reasonable person to be a realistic representation of:

(A) a political candidate that injures the reputation of a political candidate; or

(B) an individual that attempts to unduly influence the outcome of an election, including a public question, by providing materially false information to voters.

(2) “Synthetic media” means an image, an audio recording, or a video recording of an individual’s appearance, speech, or conduct that has been created or intentionally manipulated with the use of digital technology, including artificial intelligence.

§ 2032. DISCLOSURE OF DECEPTIVE AND FRAUDULENT

SYNTHETIC MEDIA

(a) Disclosure. A person shall not, within 90 days before an election in Vermont, publish, communicate, or otherwise distribute synthetic media that the person knows is deceptive and fraudulent synthetic media unless the person includes a disclosure in the synthetic media stating: “This media has been manipulated or generated by digital technology and depicts speech or conduct that did not occur.”

(1) For deceptive and fraudulent synthetic media consisting of images and video recordings, the text of the disclosure shall appear in a size that is easily readable by the average viewer and inclusive to the greatest extent possible of individuals with disabilities. For video recordings, the disclosure shall appear for the full duration of the video recording.

(2) For deceptive and fraudulent synthetic media consisting of audio recordings only, the disclosure shall be read in a clearly spoken manner and in a pitch and pace that can be easily heard by the average listener and inclusive to the greatest extent possible of individuals with disabilities, at the beginning of the audio recording, at the end of the audio recording, and, if the audio is

greater than two minutes in length, interspersed within the audio recording at intervals of not greater than two minutes each.

(b) Exceptions. Subsection (a) of this section shall not apply to:

(1) a radio or television broadcasting station, including a cable or satellite television operator; programmer, or producer, or to a website, streaming platform, or mobile application, that:

(A) broadcasts deceptive and fraudulent synthetic media as part of a bona fide newscast, news interview, news documentary, commentary of general interest, or on-the-spot coverage of bona fide news events, provided the broadcast clearly acknowledges through content or a disclosure, in a manner that can be easily heard or read by the average listener or viewer, that there are questions about the authenticity of the deceptive and fraudulent synthetic media;

(B) is paid to broadcast deceptive and fraudulent synthetic media; or

(C) is required by federal law to broadcast advertisements from legally qualified candidates;

(2) a website or a regularly published newspaper, magazine, or other periodical of general circulation, including an internet or electronic publication, that routinely carries news and commentary of general interest, and that publishes deceptive and fraudulent synthetic media, if the publication clearly states that the deceptive and fraudulent synthetic media does not accurately represent the speech or conduct of the represented individual;

(3) a person that produces or distributes deceptive and fraudulent synthetic media constituting satire or parody;

(4) a provider of a telecommunications service or information service, as those terms are defined in the Communications Act of 1934, 47 U.S.C. § 153, for content provided by another person; or

(5) a provider of an interactive computer service, as defined in 47 U.S.C. § 230, for content provided by another person.

§ 2033. PENALTIES

(a) A person that knowingly and intentionally violates a provision of this subchapter shall be fined not more than \$1,000.00, unless:

(1) the person commits the violation with the intent to cause violence or bodily harm, in which case the fine shall be not more than \$5,000.00;

(2) the person commits the violation within five years after one or more prior violations under this section, in which case the fine shall be not more than \$10,000.00; or

(3) the person commits the violation with the intent to cause violence or bodily harm and the person commits the violation within five years after one or more prior violations under this section, in which case the fine shall be not more than \$15,000.00.

(b) A candidate whose appearance, speech, conduct, or environment is misrepresented through the use of deceptive and fraudulent synthetic media in violation of section 2032 of this title may seek injunctive or other equitable relief prohibiting the publication, communication, or other distribution of such deceptive and fraudulent synthetic media.

Sec. 2. 17 V.S.A. chapter 35, subchapter 5 is added to read:

Subchapter 5. Enforcement and Investigation

§ 2041. ENFORCEMENT

In addition to the other remedies provided in this chapter, a State's Attorney or the Attorney General may institute any appropriate action, injunction, or other proceeding to prevent, restrain, correct, or abate any violation of this chapter.

§ 2042. CIVIL INVESTIGATIONS

(a)(1) The Attorney General or a State's Attorney, whenever there is reason to believe any person to be or to have been in violation of this chapter, may examine or cause to be examined by any designated agent or representative any books, records, papers, memoranda, or physical objects of any nature bearing upon each alleged violation and may demand written responses under oath to questions bearing upon each alleged violation.

(2) The Attorney General or a State's Attorney may require the attendance of such person or of any other person having knowledge in the premises in the county where such person resides or has a place of business or in Washington County if such person is a nonresident or has no place of business within the State and may take testimony and require proof material for that person's information and may administer oaths or take acknowledgment in respect of any book, record, paper, or memorandum.

(3) The Attorney General or a State's Attorney shall serve notice of the time, place, and cause of such examination or attendance or notice of the cause of the demand for written responses personally or by certified mail upon such person at that person's principal place of business or, if such place is not known, to that person's known address. Such notice shall include a statement

that a knowing and intentional violation of this chapter is subject to criminal prosecution.

(4) Any book, record, paper, memorandum, or other information produced by any person pursuant to this section shall not, unless otherwise ordered by a court of this State for good cause shown, be disclosed to any person other than the authorized agent or representative of the Attorney General or a State's Attorney or another law enforcement officer engaged in legitimate law enforcement activities unless with the consent of the person producing the same, except that any transcript of oral testimony, written responses, documents, or other information produced pursuant to this section may be used in the enforcement of this chapter, including in connection with any civil action brought under this subchapter or subsection (c) of this section.

(5) Nothing in this subsection is intended to prevent the Attorney General or a State's Attorney from disclosing the results of an investigation conducted under this section, including the grounds for the decision as to whether to bring an enforcement action alleging a violation of this chapter or of any rule made pursuant to this chapter.

(6) This subsection shall not be applicable to any criminal investigation or prosecution brought under the laws of this or any state.

(b)(1) A person upon whom a notice is served pursuant to the provisions of this section shall comply with its terms unless otherwise provided by the order of a court of this State.

(2) Any person that, with intent to avoid, evade, or prevent compliance, in whole or in part, with any civil investigation under this section, removes from any place; conceals, withholds, or destroys; or mutilates, alters, or by any other means falsifies any documentary material in the possession, custody, or control of any person subject to such notice or mistakes or conceals any information shall be fined not more than \$5,000.00.

(c)(1) Whenever any person fails to comply with any notice served upon that person under this section or whenever satisfactory copying or reproduction of any such material cannot be done and the person refuses to surrender the material, the Attorney General or a State's Attorney may file, in the Superior Court in the county in which the person resides or of that person's principal place of business or in Washington County if the person is a nonresident or has no principal place of business in this State, and serve upon the person a petition for an order of the court for the enforcement of this section.

(2) Whenever any petition is filed under this section, the court shall have jurisdiction to hear and determine the matter so presented and to enter

any order or orders as may be required to carry into effect the provisions of this section. Any disobedience of any order entered under this section by any court shall be punished as a contempt of the court.

(d) Any person aggrieved by a civil investigation conducted under this section may seek relief from Washington Superior Court or the Superior Court in the county in which the aggrieved person resides. Except for cases the court considers to be of greater importance, proceedings before Superior Court as authorized by this section shall take precedence on the docket over all other cases.

Sec. 3. EFFECTIVE DATE

This act shall take effect on passage.