

S.23

An act relating to the use of synthetic media in elections

The Senate concurs in the House proposal of amendment with further
proposal of amendment thereto:

First: In Sec. 1, 17 V.S.A. chapter 35, subchapter 4, in section 2031, by
striking out subdivisions (1) and (2) in their entireties and inserting in lieu
thereof new subdivisions (1) and (2) to read as follows:

(1) “Deceptive and fraudulent synthetic media” means synthetic media
that appears to a reasonable person to be a realistic representation of an
individual that does any of the following:

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

(B) 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.

1 Second: In Sec. 1, 17 V.S.A. chapter 35, subchapter 4, in section 2032, in
2 subsection (a), by striking out subdivisions (1) and (2) in their entirety and
3 inserting in lieu thereof new subdivisions (1) and (2) to read as follows:

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

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

16 Third: In Sec. 1, 17 V.S.A. chapter 35, subchapter 4, in section 2032, in
17 subsection (a), in the last sentence, by striking out the words “created or”.