

| S.23 – Senate proposal of Amendment                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | S.23 – As passed by the House                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
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| <p><u>§ 2031. DEFINITIONS</u></p> <p><u>As used in this subchapter:</u></p> <p>(1) “Deceptive and fraudulent synthetic media” means synthetic media that appears to a reasonable person to be a <u>realistic</u> representation of an <u>individual</u> <u>that does any of the following:</u></p> <p>(A) injures the reputation of <u>a political candidate</u>; or</p> <p>(B) attempts to unduly influence the outcome of an election, <u>including a public question, by providing materially false information to voters.</u></p> <p>(2) “Synthetic media” means an image, an audio recording, or a video recording of an <u>individual’s</u> appearance, speech, or conduct that has been created or intentionally manipulated with the use of digital technology, including artificial intelligence.</p>                                                              | <p><u>§ 2031. DEFINITIONS</u></p> <p><u>As used in this subchapter:</u></p> <p>(1) “Deceptive and fraudulent synthetic media” means synthetic media that appears to a reasonable person to be an <u>authentic</u> representation of a <u>political candidate</u> and that injures the reputation of the candidate or attempts to unduly influence the outcome of an election.</p> <p>(2) “Synthetic media” means an image, an audio recording, or a video recording of a <u>political candidate’s</u> appearance, speech, or conduct that has been created or intentionally manipulated with the use of digital technology, including artificial intelligence, <u>without the consent of the candidate.</u></p>                                                                                         |
| <p><u>§ 2032. DISCLOSURE OF A DECEPTIVE AND FRAUDULENT SYNTHETIC MEDIA</u></p> <p>(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 intentionally manipulated by digital technology or artificial intelligence.”</p> <p>(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 <u>and inclusive to the greatest extent possible of individuals with disabilities.</u> For video recordings, the disclosure shall appear for the full duration of the video recording.</p> | <p><u>§ 2032. DISCLOSURE OF A DECEPTIVE AND FRAUDULENT SYNTHETIC MEDIA</u></p> <p>(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 <u>created or</u> intentionally manipulated by digital technology or artificial intelligence.”</p> <p>(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.</p> |

(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.

(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.