

## Committee on Ethics and Elections

### **CS/HB 919 — Artificial Intelligence Use in Political Advertising**

by State Affairs Committee and Rep. Rizo and others (CS/CS/SB 850 by Rules Committee; Ethics and Elections Committee; and Senator DiCeglie)

The bill creates a definition for “generative artificial intelligence” and requires a disclaimer be included on specified forms of political advertisements created with generative artificial intelligence (AI).

Specifically, the bill defines “generative AI” to mean a machine-based system that can, for a given set of human-defined objectives, emulate the structure and characteristics of input data in order to generate derived synthetic content including images, videos, audio, text, and other digital content. The bill requires a political advertisement, electioneering communication, or other miscellaneous advertisement of a political nature created in whole or in part with the use of generative AI to bear a disclaimer stating such if the generated content:

- Appears to depict a real person performing an action that did not actually occur; and
- Was created with intent to injure a candidate or to deceive regarding a ballot issue.

The bill prescribes additional disclaimer requirements for specified types of content.

The bill specifies that in addition to any penalties provided by law, a person identified pursuant to another disclaimer required by campaign finance laws as paying for, sponsoring, or approving a form of political advertisement which is required to include the AI disclaimer but fails to include it commits a first-degree misdemeanor. In addition, the bill prescribes an expedited process for resolution of a civil complaint to the Florida Elections Commission of a violation of the AI disclaimer requirement.

If approved by the Governor, or allowed to become law without the Governor’s signature, these provisions take effect July 1, 2024.

*Vote: Senate 32-0; House 104-8*