2RG4SIS-1 : 4/29/2024 : THR 1ST ORR AMENDMENT TO HB172 OFFERED BY SENATOR ORR 1 2 3 4 Replace lines 15 through 19 on page 1 with the 5 6 following: 7 influence an upcoming election; to provide definitions; and to provide exceptions. 8 9 10 Replace lines 27 through 28 on page 1 with the 11 following: 12 and improve performance when exposed to data 13 sets. 14 (2) CREATOR. Any candidate, candidate campaign committee, political party, political action 15 16 committee, other political committee or entity, any 17 employee, representative, or agent of the foregoing, 18 or any other person who prepares, creates, or causes the preparation or creation and the dissemination of 19 20 any political advertising, material, or media produced 21 by generative artificial intelligence. The term does 22 not include a broadcaster, cable provider, digital newspaper, online service, Internet service provider, 23 streaming platform, provider, or developer of any 24

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25 technology in the generation of media by artificial 26 intelligence, or any employee, representative, or 27 agent thereof, solely for the distribution of a 28 creator, sponsor, or purchaser's political advertising, material, or media 29 30 (3) DEPICTED INDIVIDUAL. An individual who is falsely 31 32 Replace line 30 on page 2 with the following: 33 (4) ELECTION. A federal, state, legislative, 34 judicial, 35 36 Replace line 33 on page 2 with the following: 37 (5) MATERIALLY DECEPTIVE MEDIA. Any image, 38 audio, or 39 40 Replace line 41 on page 2 with the following: 41 c. The media was produced by artificial 42 intelligence. (6) SPONSOR. A person at whose request or on whose 43 44 behalf any political advertisement, material, or media 45 is created, prepared, placed, published, or disseminated. 46 47 48 Replace line 62 on page 3 with the following:

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49 (1) The creator, sponsor, or purchaser includes 50 a disclaimer in any presentation of the media 51 informing the 52 Replace lines 99 through 101 on page 4 with the 53 54 following: 55 distributor does not have actual knowledge that the material is prohibited, the distributor does not 56 57 intend to injure or harm the reputation or prospects of the depicted individual, influence an election, the 58 59 results of an election, or the voting patterns in an election, or deter any individual from voting in an 60 election, and the distributor is: a. an 61 62 Replace line 113 on page 5 with the following: 63 64 Communications Commission pertaining to the 65 broadcast or distribution of 66 67 Replace line 115 on page 5 with the following: other federal law. 68 69 (3) This act shall not be construed to alter any 70 rights, obligations, or immunities created by 47 U.S.C. § 230. 71 72 (4) This act shall not apply to content that

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73 constitutes satire or parody which is substantially 74 dependent on the ability of an individual to 75 impersonate a candidate physically or verbally and not 76 upon technology or artificial intelligence. (5) This act shall not apply to a radio or television 77 78 broadcasting station, including a cable or satellite 79 television operator, programmer, or producer, 80 streaming provider, Internet website, or a regularly 81 published newspaper, magazine, or other periodical of 82 general circulation, including an Internet or 83 electronic publication, that routinely carries news 84 and commentary of general interest that distributes 85 any materially deceptive media prohibited by this act 86 as part of a bona fide newscast, news interview, news 87 documentary, or on-the-spot coverage of a bona fide 88 news event if the broadcast or publication clearly 89 acknowledges, through content or disclosure, in a 90 manner that can easily be heard and understood by the average listener or viewer, that there are questions 91 92 about the authenticity of the media. 93 (e) A distributor shall not intentionally remove a 94 disclaimer included with any media by the creator, 95 sponsor, or purchaser of the media.

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