

STATE OF NEW YORK

11646

IN ASSEMBLY

July 29, 2026

Introduced by COMMITTEE ON RULES -- (at request of M. of A. Shrestha) --
read once and referred to the Committee on Election Law

AN ACT to amend the election law, in relation to political communication

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

1 Section 1. Paragraph (b) of subdivision 5 of section 14-106 of the
2 election law, as amended by chapter 169 of the laws of 2024, is amended
3 to read as follows:

4 (b) (i) A person, firm, association, corporation, campaign, committee,
5 or organization [~~that distributes or publishes~~] shall not distribute any
6 political communication that was produced by or includes materially
7 deceptive media [~~and has actual knowledge that it is materially decep-~~
8 ~~tive shall be required to disclose this use~~].

9 (ii) [~~(1) For visual media the disclosure shall be printed or typed in~~
10 ~~a legible font size easily readable by the average viewer that is no~~
11 ~~smaller than other text appearing in the visual media and in the same~~
12 ~~language used on the communication to read as follows: "This (image,~~
13 ~~video, or audio) has been manipulated"~~].

14 ~~(2) For communication that is auditory, such as radio or automated~~
15 ~~telephone calls, clearly speaking the statement at the beginning of the~~
16 ~~audio, at the end of the audio, and, if the audio is greater than two~~
17 ~~minutes in length, interspersed within the audio at intervals of not~~
18 ~~greater than two minutes each and in the same language as the rest of~~
19 ~~the audio used in the communication, and in a pitch that can be easily~~
20 ~~heard by the average listener satisfies the requirements of clause one~~
21 ~~of this subparagraph.~~

22 ~~(iii)]~~ This paragraph shall not apply to the following:

23 (1) materially deceptive media that constitutes satire or parody;

24 (2) materially deceptive media distributed by a bona fide news report-
25 ing entity for the purpose of news reporting or coverage, if the report-
26 ing clearly acknowledges through content or a disclosure, in a manner
27 that can be easily read or heard by the average listener or viewer, that
28 there are questions about the authenticity of the materially deceptive
29 media;

EXPLANATION--Matter in italics (underscored) is new; matter in brackets
[-] is old law to be omitted.

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(3) a radio or television broadcasting station, including a cable television, satellite television or streaming service operator, programmer, producer or other similar entity, that broadcasts a political communication when the station or streaming service is paid to broadcast the political communication if the station or streaming service can show that it has disclaimer requirements that are consistent with the requirements provided in this paragraph and that it provided those disclaimer requirements to each person or entity that purchased the broadcast or streaming of the advertisement; or

(4) initial dissemination by a platform or service including, but not limited to, a website, regularly published newspaper, or magazine, where the content disseminated is materially deceptive media provided by another information content provider.

~~(iv)~~ (iii) A candidate whose voice or likeness appears in materially deceptive media in violation of this subdivision may seek reasonable court costs and attorneys' fees and injunctive relief prohibiting the distribution, publication or broadcasting of any materially deceptive media in violation of this subdivision against such individual or entity who disseminated or published such media without the consent of the person depicted and who knew or should have known that it was materially deceptive. An action under this paragraph shall be initiated by filing an application for an order to show cause in the supreme court where the materially deceptive media at issue could deceive and influence electors in an upcoming election. Such action shall be entitled to an automatic calendar preference and be subject to expedited pretrial and trial proceedings.

~~(v)~~ (iv) In any action alleging a violation of this subdivision in which a plaintiff seeks preliminary relief with respect to an upcoming election, the court shall grant relief if it determines that:

~~(A)~~ (1) plaintiffs are more likely than not to succeed on the merits; and

~~(B)~~ (2) it is possible to implement an appropriate remedy that would resolve the alleged violation in the upcoming election.

~~(vi)~~ (v) In any action commenced under this subdivision, the plaintiff bears the burden of establishing the use of materially deceptive media by clear and convincing evidence.

(vi) Any person, firm, association, corporation, campaign, committee, or organization found guilty under subparagraph (iii) of this paragraph shall forfeit to the board a sum not exceeding ten thousand dollars for each and every offense and three times the total amount spent on creating and promoting the materially deceptive media. The board shall annually redistribute any funds received as a result of this subparagraph to all local boards of election. The funds shall be distributed proportionally based on the number of residents served by the local board of election as determined by the most recent decennial census.

§ 2. This act shall take effect immediately.