STATE OF NEW YORK

7106--B

2023-2024 Regular Sessions

IN ASSEMBLY

May 10, 2023

Introduced by M. of A. BORES, WALKER, TAYLOR, CUNNINGHAM, McDONALD, ROZIC, LEE, L. ROSENTHAL, EPSTEIN, TAPIA, RIVERA, BURGOS, GIBBS, DAVILA, DINOWITZ, SILLITTI, CARROLL, SIMON, BURDICK, SHIMSKY, HUNTER, JACKSON, WOERNER -- read once and referred to the Committee on Election Law -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- recommitted to the Committee on Election Law in accordance with Assembly Rule 3, sec. 2 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the election law, in relation to the use and disclosure of synthetic media

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

Section 1. Short title. This act shall be known and may be cited as the "political artificial intelligence disclaimer (PAID) act".

§ 2. Section 14-106 of the election law is amended by adding two new subdivisions 2-a and 2-b to read as follows:

2-a. (a) Any political communication covered by this section which was produced by or includes any synthetic media shall be required to disclose the use of such synthetic media. The disclosure on printed or digital political communications, including but not limited to brochures, flyers, posters, mailings, or internet advertising shall be printed or typed in an appropriate legible form to read as follows: "This political communication was created with the assistance of artificial intelligence". The disclosure on non-printed or digital political communications shall clearly and prominently display and/or speak the following statement: "This political communication was created with the assistance of artificial intelligence". In the case of a political communication that is not visual, such as radio or automated telephone calls, clearly speaking the statement will satisfy the requirements of this subdivision.

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

LBD11102-07-3

(b) For the purposes of this subdivision, "synthetic media" means any form of media including text, image, video or sound fully or partially created or modified through the use of artificial intelligence algorithms.

2-b. (a) All committees as defined by this article shall keep records of their use of synthetic media during each campaign cycle. Such entities shall maintain records including, but not limited to: the types of synthetic media utilized, the number of voters contacted with each type of synthetic media, and the amount of funds expended toward synthetic media.

(b) All candidate committees as defined by this article shall submit such records to the state board of elections no less than one month after their election is certified. All other committees shall submit such records to the state board of elections no less than one month after election day.

(c) The state board of elections shall design a sample record template which committees can use to log their records.

(d) The state board of elections is authorized to promulgate rules and regulations required to enforce this subdivision.

§ 3. The state board of elections shall establish the rules and regulations required by this act within sixty days from the effective date of this act.

§ 4. This act shall take effect immediately.