

1 **SENATE FLOOR VERSION**

2 February 27, 2025

3 **AS AMENDED**

4 SENATE BILL NO. 894

By: Coleman and Seifried

5 **[artificial intelligence - distribution of certain**
6 **media - disclosures - action - award - civil**
7 **penalties - codification - effective date]**

8
9 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

10 SECTION 1. NEW LAW A new section of law to be codified
11 in the Oklahoma Statutes as Section 401 of Title 75A, unless there
12 is created a duplication in numbering, reads as follows:

13 A. For purposes of this section:

14 1. "Artificial intelligence" means a machine-based system that
15 can, for a given set of human-defined objectives, make predictions,
16 recommendations, or decisions influencing real or virtual
17 environments;

18 2. "Deepfake" means synthetic media that depicts a candidate or
19 political party with the intent to tarnish the reputation of the
20 candidate or political party or to deceive in a way that:

21 a. to a reasonable person, appears to depict a real
22 individual saying or doing something that did not
23 occur, or

1 b. provides a fundamentally different understanding or
2 impression of the appearance, action, or speech that a
3 reasonable person would otherwise perceive from the
4 original and unaltered version of the image, audio, or
5 video; and

6 3. "Synthetic media" means an image, audio recording, or video
7 recording of an individual's appearance, speech, or conduct that has
8 been created or intentionally manipulated with the use of generative
9 adversarial network (GAN) techniques or other digital technology in
10 a manner that creates a realistic but false image, audio recording,
11 or video.

12 B. Except as provided in subsection C of this section, a
13 person, corporation, committee, or other entity shall not, within
14 ninety (90) days of an election at which a candidate for elective
15 office will appear on the ballot, create or originally distribute
16 synthetic media that the person, corporation, committee, or other
17 entity has actual knowledge is a deepfake of a candidate or
18 political party on the state or local ballot.

19 C. 1. The prohibition in subsection B of this section shall
20 not apply if the audio or visual media includes a disclosure
21 stating: "This _____ (image, audio, or video) has been
22 manipulated or generated by artificial intelligence."

23 2. For visual media, the text of the disclosure shall appear in
24 a size that is easily readable by the average viewer and no smaller

1 than the largest font size of other text appearing in the visual
2 media. If the visual media does not include any other text, the
3 disclosure shall appear in a size that is easily readable by the
4 average viewer. For visual media that is video, the disclosure
5 shall appear for the duration of the video.

6 3. If the media consists of audio only, the disclosure shall be
7 read in a clearly spoken manner and in a pitch that can be easily
8 heard by the average listener, at the beginning of the audio, at the
9 end of the audio, and, if the audio is greater than two (2) minutes
10 in length, interspersed within the audio at intervals of not greater
11 than two (2) minutes each.

12 D. 1. A candidate whose appearance, action, or speech is
13 depicted through the use of a deepfake may seek injunctive or other
14 equitable relief prohibiting the publication of such deepfake, or
15 may bring an action for general or special damages against the
16 person or entity in violation of subsection B of this section. The
17 court may award a prevailing party court costs and reasonable
18 attorney fees.

19 2. A person or entity may also be held liable for a violation
20 pursuant to subsection B of this section by the State Election Board
21 for civil penalties as follows:

22 a. a fine not to exceed Ten Thousand Dollars (\$10,000.00)
23 if the violation was committed within five (5) years
24

1 of one or more prior convictions pursuant to this
2 section,

3 b. a fine not to exceed Five Thousand Dollars (\$5,000.00)
4 if the violation was committed with the intent to
5 cause violence or bodily harm, or

6 c. a fine not to exceed One Thousand Dollars (\$1,000.00)
7 in any other case.

8 E. The requirements of this section shall not apply to:

9 1. A radio or television broadcasting station, including a
10 cable or satellite television operator, programmer, or producer,
11 that broadcasts a deepfake prohibited by this section as part of a
12 bona fide newscast, news interview, news documentary, or on-the-spot
13 coverage of bona fide news events, if the broadcast clearly
14 acknowledges through content or a disclosure, in a manner that can
15 be easily heard or read by the average listener or viewer, that
16 there are questions about the authenticity of the materially
17 deceptive audio or visual media;

18 2. A radio or television broadcasting station, including a
19 cable or satellite television operator, programmer, or producer, or
20 an internet website or streaming service, or a regularly published
21 newspaper, magazine, or other periodical of general circulation,
22 including an internet or electronic publication, when it is paid to
23 broadcast or otherwise distribute a deepfake;

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1 3. A radio or television broadcasting station, including a
2 cable or satellite television operator, programmer, or producer in
3 cases where federal law requires broadcasters to air advertisements
4 or other messages from legally qualified candidates;

5 4. An internet website, streaming service, or a regularly
6 published newspaper, magazine, or other periodical of general
7 circulation, including an internet or electronic publication, that
8 routinely carries news and commentary of general interest, and that
9 publishes materially deceptive audio or visual media prohibited by
10 this section, if the publication clearly acknowledges through
11 context or a disclosure that there are questions about the
12 authenticity of the materially deceptive audio or visual media; or

13 5. Materially deceptive audio or visual media that constitutes
14 satire or parody.

15 SECTION 2. This act shall become effective November 1, 2025.

16 COMMITTEE REPORT BY: COMMITTEE ON TECHNOLOGY AND TELECOMMUNICATIONS
17 February 27, 2025 - DO PASS AS AMENDED

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