

By: González of El Paso

H.B. No. 401

A BILL TO BE ENTITLED

AN ACT

1
2 relating to a criminal offense for creating and distributing
3 certain misleading videos with the intent to influence the outcome
4 of an election.

5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

6 SECTION 1. Section 255.004(d), Election Code, is amended to
7 read as follows:

8 (d) A person commits an offense if the person, with intent
9 to injure a candidate or influence the result of an election:

10 (1) creates a deep fake video; and

11 (2) causes the deep fake video to be published or
12 distributed [~~within 30 days of an election~~].

13 SECTION 2. Section 255.004, Election Code, as amended by
14 this Act, applies only to an offense committed on or after the
15 effective date of this Act. An offense committed before the
16 effective date of this Act is governed by the law in effect on the
17 date the offense was committed, and the former law is continued in
18 effect for that purpose. For purposes of this section, an offense
19 was committed before the effective date of this Act if any element
20 of the offense occurred before that date.

21 SECTION 3. This Act takes effect September 1, 2025.