

By: West

S.B. No. 228

A BILL TO BE ENTITLED

AN ACT

relating to prohibiting the use of certain political advertising manipulated by generative artificial intelligence technology; creating a criminal offense.

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

SECTION 1. Chapter 255, Election Code, is amended by adding Section 255.009 to read as follows:

Sec. 255.009. PROHIBITED USE OF CERTAIN POLITICAL ADVERTISING MANIPULATED BY ARTIFICIAL INTELLIGENCE. (a) A person commits an offense if the person causes to be published, distributed, or broadcast political advertising that includes an image, audio recording, or video recording of an officeholder's or candidate's appearance, speech, or conduct that has been intentionally manipulated using generative artificial intelligence technology in a manner that creates a realistic but false or inaccurate image, audio recording, or video recording, resulting in:

(1) a depiction that, to a reasonable individual, is of the officeholder or candidate in appearance, speech, or conduct but that did not occur in reality; and

(2) a fundamentally different understanding or impression of the officeholder's or candidate's appearance, speech, or conduct than a reasonable individual would otherwise have obtained from the unaltered, original version of the image, audio

1 recording, or video recording.

2 (b) An offense under this section is a Class B misdemeanor.

3 SECTION 2. The changes in law made by this Act apply only to
4 political advertising that is published, distributed, or broadcast
5 on or after the effective date of this Act. The publication,
6 distribution, or broadcasting of political advertising before the
7 effective date of this Act is governed by the law in effect on the
8 date the advertising was published, distributed, or broadcast, and
9 the former law is continued in effect for that purpose.

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