

1-1 By: Johnson, Kolthorst S.B. No. 893  
1-2 (In the Senate - Filed January 24, 2025; February 13, 2025,  
1-3 read first time and referred to Committee on State Affairs;  
1-4 March 17, 2025, reported adversely, with favorable Committee  
1-5 Substitute by the following vote: Yeas 11, Nays 0; March 17, 2025,  
1-6 sent to printer.)

1-7	COMMITTEE VOTE				
1-8		Yea	Nay	Absent	PNV
1-9	Hughes	X			
1-10	Paxton	X			
1-11	Bettencourt	X			
1-12	Birdwell	X			
1-13	Hall	X			
1-14	Hinojosa of Nueces	X			
1-15	Middleton	X			
1-16	Parker	X			
1-17	Perry	X			
1-18	Schwertner	X			
1-19	Zaffirini	X			

1-20 COMMITTEE SUBSTITUTE FOR S.B. No. 893 By: Perry

1-21 A BILL TO BE ENTITLED  
1-22 AN ACT

1-23 relating to criminal offenses for creating and distributing certain  
1-24 misleading images and videos; creating a criminal offense.  
1-25 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:  
1-26 SECTION 1. The heading to Section 255.004, Election Code,  
1-27 is amended to read as follows:  
1-28 Sec. 255.004. FALSE IMAGES, VIDEOS, AND SOURCES [TRUE  
1-29 ~~SOURCE~~] OF COMMUNICATION.  
1-30 SECTION 2. Section 255.004, Election Code, is amended by  
1-31 amending Subsections (c), (d), and (e) and adding Subsections (d-1)  
1-32 and (d-2) to read as follows:  
1-33 (c) An offense under Subsection (a), (b), or (d) [this  
1-34 ~~section~~] is a Class A misdemeanor. An offense under Subsection  
1-35 (d-1) is a Class B misdemeanor.  
1-36 (d) A person commits an offense if the person, with the  
1-37 intent to deceive and with the intent to injure a candidate or  
1-38 influence the result of an election:  
1-39 (1) creates or causes to be created a deep fake video;  
1-40 and  
1-41 (2) publishes, distributes, or causes [the deep fake  
1-42 ~~video~~] to be published or distributed the deep fake video [within 30  
1-43 ~~days of an election~~].  
1-44 (d-1) A person commits an offense if the person, with the  
1-45 intent to deceive and influence the result of an election:  
1-46 (1) creates or causes to be created an altered image;  
1-47 and  
1-48 (2) publishes, distributes, or causes to be published  
1-49 or distributed the altered image.  
1-50 (d-2) It is an affirmative defense to prosecution for an  
1-51 offense under Subsection (d-1) if the person includes on the image a  
1-52 clear label stating that the image is altered.  
1-53 (e) In this section:  
1-54 (1) "Altered image" means an image that has been  
1-55 manipulated to change the physical appearance of an individual or  
1-56 depict an individual performing an action that the individual did  
1-57 not perform. The term does not include:  
1-58 (A) a cartoon, caricature, or any other image  
1-59 that a reasonable viewer would understand to be a satirical  
1-60 representation of the individual; or

2-1 (B) an image altered only to change the  
2-2 saturation, brightness, contrast, color, or any other superficial  
2-3 quality of the image.

2-4 (2) "Deep[~~, "deep~~] fake video" means a video[~~, created~~  
2-5 ~~with the intent to deceive,~~] that appears to depict a real person  
2-6 performing an action that the person did not perform [~~occur in~~  
2-7 ~~reality~~].

2-8 SECTION 3. The change in law made by this Act applies only  
2-9 to an offense committed on or after the effective date of this Act.  
2-10 An offense committed before the effective date of this Act is  
2-11 governed by the law in effect on the date the offense was committed,  
2-12 and the former law is continued in effect for that purpose. For  
2-13 purposes of this section, an offense was committed before the  
2-14 effective date of this Act if any element of the offense occurred  
2-15 before that date.

2-16 SECTION 4. This Act takes effect September 1, 2025.

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