

119TH CONGRESS
1ST SESSION

S. 1213

To prohibit the distribution of materially deceptive AI-generated audio or visual media relating to candidates for Federal office, and for other purposes.

IN THE SENATE OF THE UNITED STATES

MARCH 31, 2025

Ms. KLOBUCHAR (for herself, Mr. HAWLEY, Mr. COONS, Ms. COLLINS, and Mr. BENNET) introduced the following bill; which was read twice and referred to the Committee on Rules and Administration

A BILL

To prohibit the distribution of materially deceptive AI-generated audio or visual media relating to candidates for Federal office, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Protect Elections from
5 Deceptive AI Act”.

1 **SEC. 2. PROHIBITION ON DISTRIBUTION OF MATERIALLY**
2 **DECEPTIVE AI-GENERATED AUDIO OR VIS-**
3 **UAL MEDIA PRIOR TO ELECTION.**

4 (a) IN GENERAL.—Title III of the Federal Election
5 Campaign Act of 1971 (52 U.S.C. 30101 et seq.) is
6 amended by adding at the end the following new section:

7 **“SEC. 325. PROHIBITION ON DISTRIBUTION OF MATERI-**
8 **ALLY DECEPTIVE AI-GENERATED AUDIO OR**
9 **VISUAL MEDIA.**

10 “(a) DEFINITIONS.—In this section:

11 “(1) COVERED INDIVIDUAL.—The term ‘cov-
12 ered individual’ means a candidate for Federal of-
13 fice.

14 “(2) DECEPTIVE AI-GENERATED AUDIO OR VIS-
15 UAL MEDIA.—The term ‘deceptive AI-generated
16 audio or visual media’ means an image, audio, or
17 video that—

18 “(A) is the product of artificial intelligence
19 technology that uses machine learning (includ-
20 ing deep learning models, natural learning proc-
21 essing, or any other computational processing
22 techniques of similar or greater complexity),
23 that—

24 “(i) merges, combines, replaces, or su-
25 perimposes content onto an image, audio,

1 or video, creating an image, audio, or video
 2 that appears authentic; or

3 “(ii) generates an inauthentic image,
 4 audio, or video that appears authentic; and

5 “(B) a reasonable person, having consid-
 6 ered the qualities of the image, audio, or video
 7 and the nature of the distribution channel in
 8 which the image, audio, or video appears—

9 “(i) would have a fundamentally dif-
 10 ferent understanding or impression of the
 11 appearance, speech, or expressive conduct
 12 exhibited in the image, audio, or video
 13 than that person would have if that person
 14 were hearing or seeing the unaltered, origi-
 15 nal version of the image, audio, or video;
 16 or

17 “(ii) would believe that the image,
 18 audio, or video accurately exhibits any ap-
 19 pearance, speech, or expressive conduct of
 20 a person who did not actually exhibit such
 21 appearance, speech, or expressive conduct.

22 “(3) FEDERAL ELECTION ACTIVITY.—The term
 23 ‘Federal election activity’ has the meaning given the
 24 term in section 301(20)(A)(iii).

1 “(b) PROHIBITION.—Except as provided in sub-
 2 section (c), a person, political committee, or other entity
 3 may not knowingly distribute materially deceptive AI-gen-
 4 erated audio or visual media in carrying out a Federal
 5 election activity or of a covered individual for the purpose
 6 of—

7 “(1) influencing an election; or

8 “(2) soliciting funds.

9 “(c) INAPPLICABILITY TO CERTAIN ENTITIES.—This
 10 section shall not apply to the following:

11 “(1) A radio or television broadcasting station,
 12 including a cable or satellite television operator, pro-
 13 grammer, or producer, or a streaming service that
 14 broadcasts materially deceptive AI-generated audio
 15 or visual media prohibited by this section as part of
 16 a bona fide newscast, news interview, news documen-
 17 tary, or on-the-spot coverage of bona fide news
 18 events, if the broadcast clearly acknowledges through
 19 content or a disclosure, in a manner that can be eas-
 20 ily heard or read by the average listener or viewer,
 21 that there are questions about the authenticity of
 22 the materially deceptive AI-generated audio or visual
 23 media.

24 “(2) A regularly published newspaper, maga-
 25 zine, or other periodical of general circulation, in-

cluding an internet or electronic publication, that routinely carries news and commentary of general interest, and that publishes materially deceptive AI-generated audio or visual media prohibited under this section, if the publication clearly states that the materially deceptive AI-generated audio or visual media does not accurately represent the speech or conduct of the covered individual.

“(3) Materially deceptive AI-generated audio or visual media that constitutes satire or parody.

“(d) CIVIL ACTION.—

“(1) INJUNCTIVE OR OTHER EQUITABLE RELIEF.—

“(A) IN GENERAL.—A covered individual whose voice or likeness appears in, or who is the subject of, a materially deceptive AI-generated audio or visual media, including content distributed as part of a Federal election activity, distributed in violation of this section may seek injunctive or other equitable relief prohibiting the distribution of materially deceptive AI-generated audio or visual media in violation of this section.

“(B) PRECEDENCE.—An action under this paragraph shall be entitled to precedence in ac-

1 cordance with the Federal Rules of Civil Proce-
2 dure.

3 “(2) DAMAGES.—

4 “(A) IN GENERAL.—A covered individual
5 whose voice or likeness appears in, or who is
6 the subject of, a materially deceptive AI-gen-
7 erated audio or visual media, including content
8 distributed as part of a Federal election activ-
9 ity, distributed in violation of this section may
10 bring an action for general or special damages
11 against the person, committee, or other entity
12 that distributed the materially deceptive AI-gen-
13 erated audio or visual media.

14 “(B) ATTORNEY’S FEES AND COSTS.—In
15 addition to any damages awarded under sub-
16 paragraph (A), the court may also award a pre-
17 vailing party reasonable attorney’s fees and
18 costs.

19 “(C) RULE OF CONSTRUCTION.—Nothing
20 in this paragraph shall be construed to limit or
21 preclude a plaintiff from securing or recovering
22 any other available remedy.

23 “(3) BURDEN OF PROOF.—In any civil action
24 alleging a violation of this section, the plaintiff shall

1 bear the burden of establishing the violation through
2 clear and convincing evidence.”.

3 (b) SEVERABILITY.—If any provision of this Act, or
4 an amendment made by this Act, or the application of
5 such provision to any person or circumstance, is held to
6 be invalid, the remainder of this Act, or an amendment
7 made by this Act, or the application of such provision to
8 other persons or circumstances, shall not be affected.

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