

REFERENCE TITLE: election communications; prohibition; deep fakes

State of Arizona  
Senate  
Fifty-sixth Legislature  
Second Regular Session  
2024

## **SB 1515**

Introduced by  
Senators Sundareshan: Bennett

AN ACT

AMENDING TITLE 16, CHAPTER 7, ARTICLE 1, ARIZONA REVISED STATUTES, BY  
ADDING SECTION 16-1023; RELATING TO ELECTION COMMUNICATIONS.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Title 16, chapter 7, article 1, Arizona Revised  
3 Statutes, is amended by adding section 16-1023, to read:

4 16-1023. Deep fakes; candidates; political parties;  
5 injunction; exemptions; definitions

6 A. WITHIN NINETY DAYS BEFORE AN ELECTION AT WHICH A CANDIDATE FOR  
7 ELECTED OFFICE WILL APPEAR ON THE BALLOT, A PERSON, CORPORATION, COMMITTEE  
8 OR OTHER ENTITY SHALL NOT DISTRIBUTE A SYNTHETIC MEDIA MESSAGE THAT THE  
9 PERSON, CORPORATION, COMMITTEE OR OTHER ENTITY KNOWS OR SHOULD KNOW IS A  
10 DECEPTIVE AND FRAUDULENT DEEPPAKE OF THAT CANDIDATE OR OF A POLITICAL  
11 PARTY THAT IS ON THAT BALLOT UNLESS THE SYNTHETIC MEDIA MESSAGE INCLUDES A  
12 DISCLOSURE THAT STATES: "THIS \_\_\_\_\_ HAS BEEN MANIPULATED OR GENERATED  
13 BY ARTIFICIAL INTELLIGENCE." THE BLANK IN THE DISCLOSURE REQUIRED BY THIS  
14 SUBSECTION SHALL BE FILLED WITH THE ONE TERM FROM THE FOLLOWING THAT MOST  
15 ACCURATELY DESCRIBES THE MEDIA:

- 16 1. IMAGE.
- 17 2. VIDEO.
- 18 3. AUDIO.

19 B. FOR VISUAL MEDIA, THE TEXT OF THE DISCLOSURE SHALL APPEAR IN A  
20 SIZE THAT IS EASILY READABLE BY THE AVERAGE VIEWER AND THAT IS NO SMALLER  
21 THAN THE LARGEST FONT SIZE OF OTHER TEXT APPEARING IN THE VISUAL MEDIA.  
22 IF THE VISUAL MEDIA DOES NOT INCLUDE ANY OTHER TEXT, THE DISCLOSURE SHALL  
23 APPEAR IN A SIZE THAT IS EASILY READABLE BY THE AVERAGE VIEWER. FOR  
24 VISUAL MEDIA THAT IS VIDEO, THE DISCLOSURE SHALL APPEAR FOR THE DURATION  
25 OF THE VIDEO.

26 C. IF THE MEDIA CONSISTS OF AUDIO ONLY, THE DISCLOSURE SHALL BE  
27 READ IN A CLEARLY SPOKEN MANNER AND IN A PITCH THAT CAN BE EASILY HEARD BY  
28 THE AVERAGE LISTENER, AT THE BEGINNING OF THE AUDIO, AT THE END OF THE  
29 AUDIO AND, IF THE AUDIO IS LONGER THAN TWO MINUTES IN LENGTH, INTERSPERSED  
30 WITHIN THE AUDIO AT INTERVALS OF NOT MORE THAN TWO MINUTES EACH.

31 D. A CANDIDATE WHOSE APPEARANCE, ACTION OR SPEECH IS DEPICTED  
32 THROUGH THE USE OF A DECEPTIVE AND FRAUDULENT DEEPPAKE IN VIOLATION OF  
33 THIS SECTION MAY SEEK INJUNCTIVE OR OTHER EQUITABLE RELIEF PROHIBITING THE  
34 PUBLICATION OF THE DECEPTIVE AND FRAUDULENT DEEPPAKE.

35 E. THIS SECTION DOES NOT APPLY TO:

36 1. A RADIO OR TELEVISION BROADCASTING STATION, INCLUDING A CABLE OR  
37 SATELLITE TELEVISION OPERATOR, PROGRAMMER OR PRODUCER:

38 (a) THAT BROADCASTS A DECEPTIVE AND FRAUDULENT DEEPPAKE THAT IS  
39 PROHIBITED BY THIS SECTION AND THAT IS PART OF A BONA FIDE NEWSCAST, NEWS  
40 INTERVIEW OR NEWS DOCUMENTARY OR ON-THE-SPOT COVERAGE OF BONA FIDE NEWS  
41 EVENTS, IF THE BROADCAST CLEARLY ACKNOWLEDGES THROUGH ITS CONTENT OR A  
42 DISCLOSURE IN A MANNER THAT CAN BE EASILY HEARD OR READ BY THE AVERAGE  
43 LISTENER OR VIEWER THAT THERE ARE QUESTIONS ABOUT THE AUTHENTICITY OF THE  
44 MATERIALLY DECEPTIVE AUDIO OR VISUAL MEDIA.

1 (b) WHEN IT IS PAID TO BROADCAST A DECEPTIVE AND FRAUDULENT  
2 DEEPPFAKE AND HAS MADE A GOOD FAITH EFFORT TO ESTABLISH THAT THE DEPICTION  
3 IS NOT A DECEPTIVE AND FRAUDULENT DEEPPFAKE.

4 2. AN INTERNET WEBSITE OR A REGULARLY PUBLISHED NEWSPAPER, MAGAZINE  
5 OR OTHER PERIODICAL OF GENERAL CIRCULATION, INCLUDING AN INTERNET OR  
6 ELECTRONIC PUBLICATION, THAT ROUTINELY CARRIES NEWS AND COMMENTARY OF  
7 GENERAL INTEREST AND THAT PUBLISHES MATERIALLY DECEPTIVE AUDIO OR VISUAL  
8 MEDIA THAT IS PROHIBITED BY THIS SECTION IF THE PUBLICATION CLEARLY STATES  
9 THAT THE MATERIALLY DECEPTIVE AUDIO OR VISUAL MEDIA DOES NOT ACCURATELY  
10 REPRESENT THE SPEECH OR CONDUCT OF THE CANDIDATE.

11 3. MEDIA THAT CONSTITUTES SATIRE OR PARODY.

12 F. FOR THE PURPOSES OF THIS SECTION:

13 1. "DECEPTIVE AND FRAUDULENT DEEPPFAKE" MEANS SYNTHETIC MEDIA THAT  
14 DEPICTS A CANDIDATE OR POLITICAL PARTY WITH THE INTENT TO INJURE THE  
15 REPUTATION OF THE CANDIDATE OR POLITICAL PARTY OR OTHERWISE DECEIVE A  
16 VOTER AND THAT EITHER:

17 (a) APPEARS TO A REASONABLE PERSON TO DEPICT A REAL INDIVIDUAL  
18 SAYING OR DOING SOMETHING THAT DID NOT ACTUALLY OCCUR IN REALITY.

19 (b) PROVIDES TO A REASONABLE PERSON A FUNDAMENTALLY DIFFERENT  
20 UNDERSTANDING OR IMPRESSION OF THE APPEARANCE, ACTION OR SPEECH IN AN  
21 IMAGE, AUDIO RECORDING OR VIDEO RECORDING THAN A REASONABLE PERSON WOULD  
22 HAVE FROM AN UNALTERED, ORIGINAL VERSION OF THE IMAGE, AUDIO RECORDING OR  
23 VIDEO RECORDING.

24 2. "SYNTHETIC MEDIA" MEANS AN IMAGE, AUDIO RECORDING OR VIDEO  
25 RECORDING OF AN INDIVIDUAL'S APPEARANCE, SPEECH OR CONDUCT THAT HAS BEEN  
26 CREATED OR INTENTIONALLY MANIPULATED WITH THE USE OF GENERATIVE  
27 ADVERSARIAL NETWORK TECHNIQUES OR OTHER DIGITAL TECHNOLOGY IN A MANNER TO  
28 CREATE A REALISTIC BUT FALSE IMAGE, AUDIO OR VIDEO.

29 Sec. 2. Severability

30 If a provision of this act or its application to any person or  
31 circumstance is held invalid, the invalidity does not affect other  
32 provisions or applications of the act that can be given effect without the  
33 invalid provision or application, and to this end the provisions of this  
34 act are severable.