

**House File 2549 - Reprinted**

HOUSE FILE 2549  
BY COMMITTEE ON ECONOMIC  
GROWTH AND TECHNOLOGY

(SUCCESSOR TO HSB 599)

(As Amended and Passed by the House March 6, 2024)

**A BILL FOR**

1 An Act relating to the conduct of elections, including the use  
2 of artificial intelligence and deceptive statements, and  
3 providing penalties.

4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. NEW SECTION. 52.7 Use of artificial intelligence  
2 prohibited.

3 1. Automatic tabulating equipment, ballot marking devices,  
4 and optical scan voting systems approved for use in this state  
5 shall not utilize artificial intelligence.

6 2. For the purposes of this section, "*artificial*  
7 *intelligence*" means a machine-based system that can, for a  
8 given set of human-defined objectives, make predictions,  
9 recommendations, or decisions influencing real or virtual  
10 environments.

11 Sec. 2. Section 68A.405, Code 2024, is amended by adding the  
12 following new subsections:

13 NEW SUBSECTION. 5. *a.* Published material generated through  
14 the use of artificial intelligence and designed to expressly  
15 advocate the nomination, election, or defeat of a candidate  
16 for public office or the passage or defeat of a ballot issue  
17 must contain a disclosure on the published material that the  
18 published material was generated using artificial intelligence.  
19 The disclosure must include the words "this material was  
20 generated using artificial intelligence".

21 *b.* Notwithstanding section 68A.701, a person who violates  
22 this subsection is guilty of a simple misdemeanor punishable by  
23 confinement for no more than ninety days and a fine of not more  
24 than one thousand dollars.

25 *c.* For the purposes of this subsection, "*artificial*  
26 *intelligence*" means as defined in section 52.7.

27 *d.* The board shall adopt rules for the implementation of  
28 this subsection.

29 NEW SUBSECTION. 6. *a.* Published material designed to  
30 expressly advocate the nomination, election, or defeat of a  
31 candidate for public office or the passage or defeat of a  
32 ballot issue that includes a materially deceptive depiction  
33 of a candidate must include a statement that the published  
34 material has been manipulated. The disclosure must include  
35 the words "this material has been manipulated to include a

1 materially deceptive depiction of a candidate”.

2     *b.* For the purposes of this subsection, published material  
3 is materially deceptive if it has been manipulated to change  
4 the physical appearance of a candidate or depict a candidate  
5 performing an act that did not occur, or, in the case of  
6 an image, if it has been altered to change the saturation,  
7 brightness, contrast, color, or other visible quality of an  
8 image of a candidate.

9     *c.* Notwithstanding section 68A.701, a person who violates  
10 this subsection is guilty of a simple misdemeanor punishable by  
11 confinement for no more than ninety days and a fine of not more  
12 than one thousand dollars.

13     *d.* The board shall adopt rules for the implementation of  
14 this subsection.

15     Sec. 3. NEW SECTION. **68A.507 Synthetic media —**  
16 **restrictions — penalties.**

17     1. For the purposes of this section:

18     *a.* “*Creator*” means a person who utilizes or deploys  
19 artificial intelligence, as defined in section 52.7, or other  
20 digital technology to generate synthetic media.

21     *b.* “*Deceptive and fraudulent deepfake*” means synthetic media  
22 that depicts a candidate or political party with the intent to  
23 injure the reputation of the candidate or party or otherwise  
24 deceive a voter and that does any of the following:

25         (1) Appears to a reasonable person to depict a real  
26 individual saying or doing something that did not actually  
27 occur in reality.

28         (2) Provides a reasonable person a fundamentally different  
29 understanding or impression of an appearance, action, or speech  
30 than a reasonable person would have from an unaltered, original  
31 version of an image, audio recording, or video recording.

32     *c.* “*Synthetic media*” means an image, an audio recording,  
33 or a video recording of an individual’s appearance, action, or  
34 speech that has been created or intentionally manipulated with  
35 the use of generative adversarial network techniques or other

1 digital technology in a manner to create a realistic but false  
2 image, audio, or video.

3 2. Except as provided in subsection 3, a person shall  
4 not, within ninety days of an election at which a candidate  
5 will appear on a ballot, distribute a synthetic media message  
6 that the person knows or should have known is a deceptive and  
7 fraudulent deepfake of a candidate or party on the ballot.

8 3. Subsection 2 does not apply if the synthetic media  
9 includes a disclosure stating that the image, audio, or video  
10 has been manipulated or generated by artificial intelligence.

11 a. For visual media, the text of the disclosure shall appear  
12 in a size that is easily readable by the average viewer and  
13 no smaller than the largest font size of other text appearing  
14 in the visual media. If the visual media does not include  
15 any other text, the disclosure shall appear in a size that is  
16 easily readable by the average viewer. For visual media that  
17 is video, the disclosure shall appear for the duration of the  
18 video. The disclosure must include the words "this image or  
19 video was manipulated or generated by artificial intelligence".

20 b. For media that consists of audio only, the disclosure  
21 shall be read in a clearly spoken manner and in a pitch that can  
22 be easily heard by the average listener, at the beginning of  
23 the audio, at the end of the audio, and, if the audio is greater  
24 than two minutes in length, interspersed within the audio at  
25 intervals of not greater than two minutes each. The disclosure  
26 must include the words "this audio was manipulated or generated  
27 by artificial intelligence".

28 4. This section does not apply to a radio or television  
29 broadcasting station, including a cable or satellite television  
30 operator, programmer, or producer, that broadcasts a deceptive  
31 and fraudulent deepfake prohibited by this section as part of  
32 a bona fide newscast, news interview, news documentary, or  
33 on-the-spot coverage of bona fide news events, if the broadcast  
34 clearly acknowledges through content or a disclosure, in a  
35 manner that can be easily heard or read by the average listener

1 or viewer, that there are questions about the authenticity of  
2 the audio or visual media.

3 5. This section does not apply to a radio or television  
4 broadcasting station, including a cable or satellite television  
5 operator, programmer, or producer, when it is paid to broadcast  
6 a deceptive and fraudulent deepfake and has made a good-faith  
7 effort to establish the depiction is not a deceptive and  
8 fraudulent deepfake.

9 6. This section does not apply to an internet site or a  
10 regularly published newspaper, magazine, or other periodical  
11 of general circulation, including an internet or electronic  
12 publication, that routinely carries news and commentary of  
13 general interest, and that publishes audio or visual media  
14 prohibited by this section, if the publication clearly states  
15 that the media does not accurately represent the speech or  
16 conduct of the candidate. This section also does not apply  
17 to an interactive computer service provider, cloud service  
18 provider, or internet service provider.

19 7. This section does not apply to audio or visual media that  
20 constitutes satire or parody.

21 8. Notwithstanding section 68A.701:

22 *a.* A candidate whose appearance, action, or speech is  
23 depicted through the use of a deceptive and fraudulent deepfake  
24 in violation of subsection 2 may seek injunctive or other  
25 equitable relief prohibiting the publication of such deceptive  
26 and fraudulent deepfake.

27 *b.* A person who violates subsection 2 is guilty of a simple  
28 misdemeanor punishable by confinement for no more than ninety  
29 days and a fine of not more than one thousand dollars.

30 *c.* A person who violates subsection 2 with the intent  
31 to cause violence or bodily harm is guilty of a serious  
32 misdemeanor.

33 *d.* A person who violates subsection 2 within five years of  
34 a prior conviction for a violation of subsection 2 is guilty  
35 of a class "D" felony.

1 e. A creator of a material distributed in violation of  
2 subsection 2 is guilty of a simple misdemeanor punishable by  
3 confinement for no more than ninety days and a fine of not more  
4 than one thousand dollars.  
5 9. The board shall adopt rules for the implementation of  
6 this section.