

House File 2549 - Introduced

HOUSE FILE 2549
BY COMMITTEE ON ECONOMIC
GROWTH AND TECHNOLOGY

(SUCCESSOR TO HSB 599)

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 *b.* Notwithstanding section 68A.701, a person who violates
20 this subsection is guilty of a class "D" felony.

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

23 NEW SUBSECTION. 6. *a.* Published material designed to
24 expressly advocate the nomination, election, or defeat of a
25 candidate for public office or the passage or defeat of a
26 ballot issue that includes a materially deceptive depiction
27 of a candidate must include a statement that the published
28 material has been manipulated.

29 *b.* For the purposes of this subsection, published material
30 is materially deceptive if it has been manipulated to change
31 the physical appearance of a candidate or depict a candidate
32 performing an act that did not occur, or, in the case of
33 an image, if it has been altered to change the saturation,
34 brightness, contrast, color, or other visible quality of an
35 image of a candidate.

1 c. Notwithstanding section 68A.701, a person who violates
2 this subsection is guilty of a class "D" felony.

3 Sec. 3. NEW SECTION. **68A.507 False representations**
4 **prohibited.**

5 A person shall not make or publish, or cause to be made or
6 published, a false representation about a candidate or ballot
7 issue that is intended to or actually affects voting at an
8 election.

9 EXPLANATION

10 The inclusion of this explanation does not constitute agreement with
11 the explanation's substance by the members of the general assembly.

12 This bill relates to the use of artificial intelligence in
13 technologies used in elections and the publication of certain
14 materials related to elections. The bill prohibits the use
15 of artificial intelligence, defined in the bill, in automatic
16 tabulating equipment, ballot marking devices, and optical scan
17 voting systems approved for use in this state.

18 The bill also requires published material generated through
19 the use of artificial intelligence and designed to expressly
20 advocate the nomination, election, or defeat of a candidate for
21 public office or the passage or defeat of a ballot issue to
22 include a disclosure that the published material was generated
23 using artificial intelligence. A person who fails to include
24 such a disclosure is guilty of a class "D" felony. A class "D"
25 felony is punishable by confinement for no more than five years
26 and a fine of at least \$1,025 but not more than \$10,245.

27 The bill requires published material designed to expressly
28 advocate the nomination, election, or defeat of a candidate
29 for public office or the passage or defeat of a ballot issue
30 that includes a materially deceptive depiction of a candidate
31 to include a disclosure that the published material has been
32 manipulated. Under the bill, published material is materially
33 deceptive if it has been manipulated to change the physical
34 appearance of a candidate or depict a candidate performing an
35 act that did not occur, or, in the case of an image, if it has

1 been altered to change the saturation, brightness, contrast,
2 color, or other visible quality of an image of a candidate. A
3 person who fails to include such a disclosure is guilty of a
4 class "D" felony.

5 The bill prohibits a person from making or publishing,
6 or causing to be made or published, a false representation
7 about a candidate or ballot issue that is intended to or
8 actually affects voting at an election. By operation of law, a
9 person who violates this provision of the bill is guilty of a
10 serious misdemeanor. A serious misdemeanor is punishable by
11 confinement for no more than one year and a fine of at least
12 \$430 but not more than \$2,560.