



2023 ASSEMBLY BILL 664

November 9, 2023 - Introduced by Representatives NEYLON, C. ANDERSON, J. ANDERSON, ARMSTRONG, BARE, BEHNKE, CONLEY, CONSIDINE, DITTRICH, EMERSON, GUNDRUM, JOERS, KITCHENS, KRUG, MURSAU, O'CONNOR, RIEMER, RETTINGER, SCHRAA, SNODGRASS, SNYDER, TITTL, WICHGERS and GOEBEN, cosponsored by Senators QUINN, SPREITZER, FEYEN, HESSELBEIN and CABRAL-GUEVARA. Referred to Committee on Campaigns and Elections.

1 **AN ACT** *to amend* 11.1303 (title); and *to create* 11.1303 (2m) of the statutes;
2 **relating to:** disclosures regarding content generated by artificial intelligence
3 in political advertisements, granting rule-making authority, and providing a
4 penalty.

Analysis by the Legislative Reference Bureau

This bill requires that any audio or video communication that is paid for by a candidate committee, legislative campaign committee, political action committee, independent expenditure committee, political party, recall committee, or referendum committee with a contribution or disbursement make certain disclosures if the communication contains synthetic media. The bill defines “synthetic media” as audio or video content substantially produced by means of generative artificial intelligence.

Under the bill, every audio communication paid for with a contribution or disbursement that contains synthetic media must include at both the beginning and the end of the communication the words “Contains content generated by AI.”

Similarly, the bill provides that every video communication paid for with a contribution or disbursement must include throughout the duration of each portion of the communication containing synthetic media, in writing that is readable, legible, and readily accessible, the words “This video content generated by AI” if the video includes video synthetic media only, “This audio content generated by AI” if the video includes audio synthetic media only, or “This content generated by AI” if the video includes both video and audio synthetic media.

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The bill imposes a forfeiture of up to \$1,000 for each violation of the bill's requirements and authorizes the Ethics Commission to adopt rules creating limited exceptions to those requirements.

For further information see the state fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

1 **SECTION 1.** 11.1303 (title) of the statutes is amended to read:

2 **11.1303 (title) Attribution of political contributions, disbursements**
3 **and communications; synthetic media.**

4 **SECTION 2.** 11.1303 (2m) of the statutes is created to read:

5 11.1303 **(2m)** (a) In this subsection, “synthetic media” means audio or video
6 content that is substantially produced in whole or in part by means of generative
7 artificial intelligence.

8 (b) Every audio communication described in sub. (2) (a) or (b) that contains
9 synthetic media shall include both at the beginning and at the end of the
10 communication the words “Contains content generated by AI.”

11 (c) Every video communication described in sub. (2) (a) or (b) shall include
12 throughout the duration of each portion of the communication containing synthetic
13 media, in writing that is readable, legible, and readily accessible, the words “This
14 video content generated by AI” if the video includes video synthetic media only, “This
15 audio content generated by AI” if the video includes audio synthetic media only, or
16 “This content generated by AI” if the video includes both video and audio synthetic
17 media.

18 (d) The commission may promulgate rules implementing pars. (a), (b), and (c).
19 The rules may include limited exceptions to the requirements under this subsection.

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1 (e) Compliance with this subsection does not create an exemption from any civil
2 or criminal liability, including for violations of s. 12.05.

3 (f) Notwithstanding s. 11.1401 (1) (b), whoever intentionally violates par. (a),
4 (b), or (c) shall be subject to a forfeiture not to exceed \$1,000 for each violation.

5 **SECTION 3. Initial applicability.**

6 (1) This act first applies to a communication described in s. 11.1303 (2) (a) or
7 (b) that is created on the effective date of this subsection.

8 (END)