

# State of Wisconsin



2023 Assembly Bill 664

Date of enactment: **March 21, 2024**

Date of publication\*: **March 22, 2024**

## 2023 WISCONSIN ACT 123

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

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

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

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

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

11.1303 (2m) (a) In this subsection:

1. "Issue advocacy" means a communication that provides information about political or social issues and is made to influence the outcome of an election.

2. "Synthetic media" means audio or video content that is substantially produced in whole or in part by means of generative artificial intelligence.

(b) Every audio communication otherwise described in sub. (2) (a) or (b) but containing express advocacy or issue advocacy or supporting or opposing a referendum and that contains synthetic media shall include both at the beginning and at the end of the communication the words "Contains content generated by AI."

(c) Every video communication otherwise described in sub. (2) (a) or (b) but containing express advocacy or issue advocacy or supporting or opposing a referendum

shall 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.

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

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

(f) Notwithstanding s. 11.1401 (1) (b), whoever intentionally violates par. (b) or (c) shall be subject to a forfeiture not to exceed \$1,000 for each violation. Any violation of par. (b) or (c) shall be enforced as provided under s. 11.1400 (5).

(g) No liability for a violation of this subsection shall attach to any person who is a broadcaster or other host or carrier of a video or audio communication described in sub. (2) (a) or (b) that contains synthetic media, unless the person is a committee responsible for the communication.

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\* Section 991.11, WISCONSIN STATUTES: Effective date of acts. "Every act and every portion of an act enacted by the legislature over the governor's partial veto which does not expressly prescribe the time when it takes effect shall take effect on the day after its date of publication."

(h) This subsection may not be construed to alter or negate any rights, obligations, or immunities of a provider of an interactive computer service under 47 USC 230.

**SECTION 3. Initial applicability.**

(1) This act first applies to a communication under s. 11.1303 (2m) (b) or (c) that is created on the effective date of this subsection.

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