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# Wisconsin Legislative Council

## AMENDMENT MEMO

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**Contact:** Peggy Hurley, Senior Staff Attorney

### 2023 Assembly Bill 664

### Assembly Substitute Amendment 1

## 2023 ASSEMBLY BILL 664

This bill requires most political communications to disclose the use of audio or video content substantially produced by means of generative artificial intelligence (AI). Under the bill, a political communication that contains AI must include at both the beginning and the end of the communication, and during the portion of the communication that uses AI, the words “Contains content generated by AI” in an easily viewable format. The bill imposes a civil forfeiture for each violation.

## ASSEMBLY SUBSTITUTE AMENDMENT 1

Assembly Substitute Amendment 1 defines “issue advocacy” to mean a communication that provides information about political or social issues and is made to influence the outcome of an election. Under the substitute amendment, any audio and video communication using AI that contains express advocacy, issue advocacy, or supports or opposes a referendum must include a disclosure that identifies the use of AI in the communication. Under the substitute amendment, the Ethics Commission investigates and enforces violations of this requirement in the same manner as it currently does for similar violations over which it has regulatory authority; violations are subject to a forfeiture up to \$1,000 per violation. Under the substitute amendment, the Ethics Commission may promulgate rules to create limited exceptions to the bill’s disclosure requirements.

Additionally, the substitute amendment exempts from liability for violations of the disclosure requirements any broadcaster or other host or carrier of a political communication. The substitute amendment also states that the bill does not negate or alter the rights of a broadcaster or other host or carrier under a federal law intended to protect the rights of a content host to monitor or limit the content it hosts.

## BILL HISTORY

Assembly Substitute Amendment 1 was offered by Representative Neylon on February 14, 2024. On February 15, 2024, the Assembly adopted the substitute amendment by a voice vote.

For a full history of the bill, visit the Legislature’s [bill history page](#).

PJH:jal