

Adam Neylon

State Representative • 98th Assembly District

DATE: January 9, 2024
FROM: State Representative Adam Neylon
TO: Assembly Committee on Campaigns and Elections
RE: Support for Assembly Bill 664

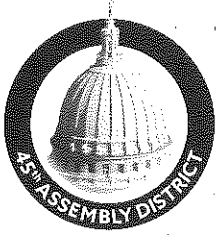
Good afternoon and thank you Chair Krug for holding a Public Hearing on Assembly Bill 664, legislation requiring disclosures on political advertisements containing generated artificial intelligence.

Artificial intelligence, or AI, technology is increasing in both availability and sophistication. These types of synthetic media, including the so-called "deepfakes," can make it virtually impossible for humans to tell what's real and what's not. As you can imagine, this has the potential, with its inherent deception, to seriously undermine integrity and trust in our electoral system.

Assembly Bill 664 will fight back against disinformation, while at the same time protect our right to free speech. This bill would require that any audio or video communication paid for by candidates and groups trying to influence elections contains simple disclosures if the communication contains synthetic media, such as deepfakes. Wisconsin residents should be informed about the authenticity of media in political communications. These disclosures will hopefully result in empowering residents to make more informed decisions at the polls.

This bill will use the currently existing framework for campaign disclosure enforcement, handled by the Ethics Commission. We also include penalty provisions in this legislation to hold bad actors accountable for failing to disclose AI in a campaign advertisements. In closing I would add that other states are currently looking at legislation to regulate AI in the political advertisement space. However, my co-authors and I agreed the provisions in this bill were a good place to start a conversation on what will certainly be ongoing, as it relates to how Wisconsin will regulate AI in the political campaign space, and other spaces as well.

I would like to thank you for your time today and I am happy to answer any questions you may have.



CLINTON ★ STATE
ANDERSON REPRESENTATIVE

To: Assembly Committee on Campaigns and Elections
From: Representative Clinton Anderson
Re: Testimony on Assembly Bill 664
Date: January 9, 2024

Chair Krug and members of the Assembly Committee on Campaigns and Elections,

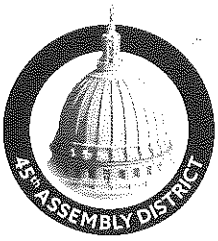
I am writing to provide testimony on the critical matter addressed by AB 664, which focuses on disclosures regarding content generated by artificial intelligence in political advertisements. As a Representative with a deep understanding of the intersection between technology and the democratic process, I fully endorse the intent of this bill and would like to underscore the importance of regulating AI in political campaigns and elections.

The advent of artificial intelligence, particularly generative AI, has introduced new challenges and risks to the integrity of our democratic processes. The ability of AI to create synthetic media, including audio and video content, has opened the door to potential misuse and manipulation in political communications. This bill takes a commendable step towards addressing these concerns by mandating disclosures for political advertisements containing synthetic media.

The specific provisions of the bill, such as requiring the inclusion of the phrase "Contains content generated by AI" in audio communications and providing similar disclosures in video communications, are crucial for ensuring transparency and informing the electorate about the nature of the content they are exposed to. By doing so, the bill seeks to mitigate the risk of deceptive practices that could undermine public trust and compromise the democratic decision-making process.

Furthermore, the imposition of a forfeiture of up to \$1,000 for each violation of the bill's requirements sends a strong message that the legislature takes these matters seriously and is committed to enforcing compliance. This financial penalty, coupled with the rule-making authority granted to the Ethics Commission, establishes a framework for accountability and oversight in the implementation of these regulations.

I also appreciate the foresight of the bill in allowing the commission to promulgate rules with limited exceptions, recognizing the dynamic nature of technology and the need for adaptive regulatory frameworks. Striking a balance between regulation and innovation is crucial, and this bill makes a positive stride in achieving that equilibrium.



CLINTON ★ STATE
REPRESENTATIVE
ANDERSON

I urge the committee to support and pass AB 664 as a necessary step towards safeguarding our democratic processes from the potential harms associated with unregulated AI in political campaigns. By enacting this legislation, the state of Wisconsin can serve as a model for responsible and forward-thinking governance in the realm of emerging technologies.

Thank you for your attention to this matter, and I trust that your decision will prioritize the interests of the citizens and the integrity of our democratic system.

Sincerely,

Clinton Anderson
State Representative
45th Assembly District

This testimony was generated using AI.

AB 664 Testimony

January 9th, 2024

Thank you Mr. Chair, and good morning members. My name is Edgar Lin, and I am Protect Democracy's Wisconsin policy strategist & counsel. Protect Democracy is a cross-ideological nonprofit organization – we defend elections, the rule of law, and fact-based political debate against authoritarian threats, regardless of who is in power. The central focus of my work is on policies and legislation that can strengthen elections in our state.

I want to thank Representative Andersen for inviting Protect Democracy to discuss this bipartisan bill that addresses an important development for elections: recent advances in artificial intelligence.

The 2024 election cycle will not be the first the US administers since the advent of artificial intelligence. However, since 2020, artificial intelligence has evolved significantly in two ways. First, artificial intelligence has become far more sophisticated, so much so that today's generative AI platforms can produce media that is indistinguishable to human eyes and ears from human-generated content. Second, the launches of consumer platforms like ChatGPT and Midjourney have given a broad audience access to sophisticated generative AI. Together, these developments mean any user can produce highly realistic synthetic content cheaper, faster, and at a larger scale than ever before.

We have already seen examples of political candidates, parties, and super PACS using generative AI in their campaign ads and voter outreach in the 2024 election cycle. These deployments of generative AI all occurred prior to voting, and it's safe to anticipate more examples will emerge as the general election grows closer.

AB 664 offers an essential guardrail that will help ensure Wisconsin voters understand when they encounter AI-generated content in political ads. By requiring that ads with audio or video synthetic media clearly disclose they "contain content generated by AI," AB 664 equips Wisconsin voters with the information they need to distinguish the synthetic from the authentic. Disclosures are particularly important for audio and video media because voters have historically assumed audio and video are authentic – even when they might have questioned whether written messages are truthful. AB 664 equips Wisconsin voters in the age of generative AI with the understanding that realistic audio and video in political ads may be synthetic.

Finally, Protect Democracy supports the use of mandated disclosure bills like AB 664 as a crucial way to respond to the impact of generative AI on voters without censoring or suppressing speech in violation of the First Amendment. We appreciate the work of this committee and commend the balanced approach AB 664 takes to safeguarding Wisconsin citizens' ability to make informed choices in our elections for our democracy.

Edgar Lin
Protect Democracy

WI Policy Strategist and Counsel