

Requested by Senator WOODS

**PROPOSED AMENDMENTS TO
SENATE BILL 1571**

1 On page 1 of the printed bill, delete lines 5 through 27.

2 On page 2, delete lines 1 and 2 and insert:

3 **“SECTION 1. (1) As used in this section:**

4 **“(a)(A) ‘Campaign communication’ means a communication in**
5 **support of or in opposition to a clearly identified candidate or meas-**
6 **ure, as defined in ORS 260.005 (10)(c).**

7 **“(B) Notwithstanding ORS 260.005 (10)(c)(B)(i), a campaign commu-**
8 **nication may involve aggregate expenditures of any amount.**

9 **“(b) ‘Synthetic media’ means an image, audio recording or video**
10 **recording of an individual’s appearance, speech or conduct that has**
11 **been intentionally manipulated with the use of artificial intelligence**
12 **techniques or similar digital technology in a manner to create a real-**
13 **istic but false image, audio recording or video recording that produces:**

14 **“(A) A depiction that a reasonable person would believe is of a real**
15 **individual in appearance, speech or conduct but that did not actually**
16 **occur in reality; and**

17 **“(B) A fundamentally different understanding or impression than**
18 **a reasonable person would have from the unaltered, original version**
19 **of the image, audio recording or video recording.**

20 **“(2) A campaign communication that includes any form of synthetic**
21 **media must include a disclosure stating that the image, audio record-**

1 ing or video recording has been manipulated.

2 “(3) The Secretary of State may institute proceedings to enjoin any
3 violation of this section, except that in the case of a violation by the
4 Secretary of State or a candidate for the office of the Secretary of
5 State, the Attorney General may institute proceedings to enjoin any
6 violation of this section. In any action brought under this section, the
7 circuit court may at any time enter such injunctions, prohibitions or
8 restraining orders, or take any other actions as the court may deem
9 proper. A restraining order, prohibition or injunction may be issued
10 under this section without proof of injury or damage to any person.
11 The circuit court shall give priority to the hearing and determination
12 under this section. The court shall award the prevailing party reason-
13 able attorney fees at trial and on appeal.

14 “(4) Upon proof of any violation of this section, the court shall im-
15 pose a civil penalty of not more than \$10,000. All penalties recovered
16 under this section shall be paid into the State Treasury and credited
17 to the General Fund.

18 “(5) The remedy provided by this section is the exclusive remedy for
19 a violation of this section.

20 “(6) This section does not apply to:

21 “(a) A provider of an interactive computer service, as defined in 47
22 U.S.C. 230(f), or an information service, as defined in 47 U.S.C. 153;

23 “(b) A radio or television station, including a cable or satellite
24 television operator, programmer or producer, that broadcasts a cam-
25 paign communication that includes synthetic media as part of a bona
26 fide newscast, news interview, news documentary, or on-the-spot cov-
27 erage of a bona fide news event, if the broadcast or publication clearly
28 acknowledges through content or disclosure, in a manner that can be
29 easily heard and understood or read by the average listener or viewer,
30 that there are questions about authenticity in the communication;

1 **“(c) A radio or television broadcasting station, including a cable or**
2 **satellite television operator, programmer or producer, an internet**
3 **website or an online platform, when the station, website or platform**
4 **is paid to broadcast or publish a campaign communication that in-**
5 **cludes synthetic media;**

6 **“(d) A regularly published newspaper, magazine or other periodical**
7 **of general circulation, including an internet or electronic publication,**
8 **or an internet service or website provider, that publishes a campaign**
9 **communication that includes synthetic media, if the communication**
10 **includes a statement that the synthetic media contained therein does**
11 **not accurately represent a ballot issue or candidate; or**

12 **“(e) Content that constitutes satire, parody or that is substantially**
13 **dependent on the ability of an individual to physically or verbally**
14 **impersonate a candidate without the use of technology.”.**

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