

OFFICE OF THE SECRETARY OF STATE

LAVONNE GRIFFIN-VALADE

SECRETARY OF STATE

CHERYL MYERS

DEPUTY SECRETARY OF STATE

TRIBAL LIAISON



State of Oregon
900 Court Street NE #136
Salem, Oregon 97301
503-986-1500

<http://sos.oregon.gov>

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Chair Lieber, Vice-Chair Knopp, and Members of the Senate Committee on Rules:

My name is Kathy Wai, Legislative Director for Oregon's 29th Secretary of State, Lavone Griffin-Valade. We urge you to support SB 1571. The Secretary's mission is to build trust between the people of Oregon and their state government so that public services can make a positive difference in people's everyday lives. We build trust in our democracy by ensuring secure, fair, and accessible elections at all levels. As Oregon's chief elections officer, one of the Secretary's top priorities is to successfully administer and oversee Oregon elections. We also build trust by providing accurate information around elections.

There has been a proliferation of user-friendly Artificial Intelligence (AI) tools released to the public in the recent years. Campaigns can easily create high-quality, convincing AI generated content in the form of images, voices, deepfakes and other forms of synthetic media. AI is an evolving threat in our highly charged mis, dis, and mal-information (MDM) environment. [Many states](#) have enacted legislation to address AI broadly and states such Washington have required disclosures on AI generated content to help voters better understand the content they consume. SB 1571 is inspired by [legislation](#) spearheaded by the Washington Secretary of State's Office in 2023. California, Texas, and Minnesota have also worked on legislation in this area, as has the federal Election Assistance Commission.

SB 1571 requires disclosures on political communications that are the product of synthetic media. If passed, this bill would task the Secretary of State with investigating alleged violations of this law using a similar enforcement process established by ORS 260.537.

For complaints submitted alleging violations of ORS 260.537, the Elections Division opens investigations into complaints that present enough evidence to show that a violation may have occurred. If a complaint doesn't contain sufficient evidence the complaint is dismissed without further action.

Each case presents different fact patterns and evidence, but if an investigation were opened, the Elections Division would promptly reach out to subject of the complaint for information. If it appears that the subject made a false publication, the Division would then use this information to determine whether there was an intent to mislead. We have adopted criteria by administrative rule to help us make this determination.

Point of Contact:

Kathy Wai, Legislative Director
Kathy.wai@sos.oregon.gov

If we believe a violation occurred (that a false publication with intent to mislead was disseminated) we would institute court proceedings to enjoin the violation. The courts would ultimately make the decision and issue penalties.

We would like to ask the committee to consider an additional amendment to grant the SoS more explicit rulemaking authority to implement Sections 1-4 of the introduced bill. This would allow us to provide more guidance to campaigns and to create rules to specify disclosure requirements as we did for “paid for by” disclosures required by ORS 260.266.

With this additional change, we are ready to implement the bill and encourage your support of SB 1571.

Thank you,
Kathy Wai
Legislative Director

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Kathy.wai@sos.oregon.gov