
OLR Bill Analysis

sHB 5342

AN ACT CONCERNING THE USE OF ARTIFICIAL INTELLIGENCE AND OTHER MEANS TO GENERATE DECEPTIVE SYNTHETIC MEDIA AND AFFECT ELECTIONS.

SUMMARY

This bill generally makes it a crime for a person, 90 days before an election or primary, to (1) distribute certain communication with deceptive synthetic media or (2) enter into an agreement to distribute it. Under the bill, a “person” is an individual, committee, firm, partnership, organization, association, syndicate, company trust, corporation, limited liability company, or any other legal entity, but not the state or any of its political or administrative subdivisions.

Specifically, the bill prohibits this if:

1. the person knows, or should reasonably know, it is deceptive synthetic media (or in the case of a public official or figure, acts with reckless disregard);
2. it is distributed without the depicted individual’s consent; and
3. it is intended to injure a candidate or influence election or primary results.

However, the bill exempts distributing certain deceptive synthetic media if it has a disclaimer as required by the bill. The bill also establishes several specific exemptions including for (1) parody and satire, (2) certain political advertising and campaign communications, and (3) certain news reporting.

The bill allows the state attorney general and certain people to bring a civil action against someone who violates the bill’s provisions and subjects violators to criminal penalties ranging from a class C misdemeanor to a class D felony, depending on the circumstances.

EFFECTIVE DATE: July 1, 2026

DECEPTIVE SYNTHETIC MEDIA

Under the bill, “deceptive synthetic media” is any image, audio, or video of an individual, and any representation of his or her speech or conduct that is substantially derived from it, which a reasonable person would believe depicts the individual’s speech or conduct when the individual did not do so.

DISCLAIMER

Under the bill, deceptive synthetic media may be distributed lawfully within the 90-day period if it contains a disclaimer as required by the bill. The disclaimer varies depending on the type of media (image, audio, or video).

Image Disclaimer

Under the bill, the image must contain a disclaimer stating, “This communication contains an image that has been manipulated,” “This image has been manipulated,” as applicable, or one that uses substantially the same words. Additionally, the disclaimer must:

1. appear in text clearly visible to, and easily readable by, the average viewer and
2. have a citation to the original source of the unedited or unmanipulated version of the image if the media was generated by editing or manipulating an existing image.

Audio Disclaimer

The audio must contain a disclaimer stating, “This communication contains audio that has been manipulated” or one that uses substantially the same words. Additionally, the disclaimer must:

1. be read in a clearly spoken manner,
2. be in a pitch that can be heard by the average listener,
3. be read in the same language as the rest of the media and any

other language the person would reasonably expect the listener to speak or understand, and

4. include a citation to the original source of the unedited or unmanipulated version of the audio if the media was generated by editing or manipulating existing audio.

The disclaimer must be read at the beginning and end of the communication. If the communication is greater than one minute, it must be read during the audio at least every 30 seconds.

Video Disclaimer

The video must contain a disclaimer stating, “This communication contains video that has been manipulated” or one that uses substantially the same words. Additionally, the disclaimer must:

1. appear throughout the entire video in text clearly visible to, and easily readable by, the average viewer;
2. be in the same language as the rest of the media and any other language the person would reasonably expect the listener to speak or understand; and
3. have a citation to the original source of the unedited or unmanipulated version of the video if the media was generated by editing or manipulating existing video.

EXEMPTIONS

General Exemptions

The bill’s provisions also do not apply to (1) media that constitutes parody or satire that a reasonable person would not believe the depicted individual actually did or (2) any political advertising or campaign communications that must be distributed as required by law, including federal equal time requirements.

Federal law generally requires radio and television stations to give all legally qualified candidates equal opportunity to use their broadcasting stations if the station allows at least one candidate to do so. The law

explicitly states that stations are not authorized to censor the media a candidate provides (47 U.S.C. § 315). The bill exempts these stations from the bill's prohibition if they must distribute or agree to distribute deceptive synthetic media and cannot censor the content as required under this law.

For content transmitted by another person, the bill also specifies it may not be construed to impose liability on (1) broadband internet or telecommunication service providers, for transmitting content another person provides or routine email deliveries; (2) direct-to-home satellite service providers and their affiliates, for providing satellite services; or (3) cable service providers, for transmitting content another person provides.

News Broadcasts

Under the bill, radio or television stations (including broadcast, cable, and satellite) and streaming or other digital broadcast service providers (collectively "broadcasters") may broadcast deceptive synthetic media if it is part of a bona fide newscast, news interview, news documentary, or other on-the-spot coverage of bona fide news events.

The broadcast must either retain the disclaimer required by the bill or add one if the original communication did not have one, except for on-the-spot coverage. Additionally, a broadcast must clearly state in its content that the communication contains deceptive synthetic media, except for on-the-spot coverage of a communication that the person does not have reason to believe contains deceptive synthetic media.

Websites or regular periodicals may publish this media if (1) it is part of their routine news coverage and commentary of general interest, (2) they retain the disclaimer required by the bill or add one if not present, and (3) they clearly state in their content that the communication contains deceptive synthetic media.

Political Advertising Attestation

If a person purchases advertising space for political advertising, as defined under the state's campaign finance laws, the bill allows a

broadcaster to require the purchaser to attest, under penalty of false statement, that the communication does not contain any deceptive synthetic media. By law, making a false statement is a class A misdemeanor (punishable by up to 364 days imprisonment, a fine of \$2,000, or both).

If the broadcaster receives this attestation, it may not be held liable under the bill unless it develops knowledge that deceptive synthetic media is being used and still proceeds in distributing, agreeing to distribute, or continuing to distribute the media.

PENALTIES

Criminal

Under the bill, if a person intends to distribute deceptive synthetic media to an audience and that audience exceeds 1,000 individuals, a violation of the bill can result in at least a class C misdemeanor, which carries a maximum penalty of incarceration of three months, a \$500 fine, or both. For violations (1) committed with the intent to cause violence or bodily harm or (2) distributed to an audience of more than 10,000 individuals, the bill increases the penalty to a class A misdemeanor. The penalty may also be increased to a class D felony (up to five years imprisonment, a \$5,000 fine, or both) for a subsequent conviction within five years.

These criminal penalties are in addition to any injunctive or equitable relief or special damages pursued in a civil action.

Civil

The bill also allows (1) the attorney general; (2) an individual depicted in the deceptive media; or (3) a candidate alleging an injury or the likelihood of injury to themselves by the media's distribution, to seek a permanent injunction or other equitable relief against a person violating, or that will imminently violate, the bill's provisions. The plaintiff must prove their claim by clear and convincing evidence.

Plaintiffs, other than the attorney general, may seek general or special damages due to the distribution and the court may award attorney's

fees and costs to a prevailing plaintiff.

COMMITTEE ACTION

Government Administration and Elections Committee

Joint Favorable Substitute

Yea 14 Nay 5 (03/20/2026)