

**DRAFT ONLY
NOT APPROVED FOR
INTRODUCTION**

HOUSE BILL NO.

Misleading synthetic media-elections.

Sponsored by: Select Committee on Blockchain, Financial
Technology and Digital Innovation Technology

A BILL

for

1 AN ACT relating to elections; prohibiting the dissemination
2 of synthetic media of a candidate for public office as
3 specified; providing definitions; providing remedies;
4 providing penalties; and providing for an effective date.

5

6 *Be It Enacted by the Legislature of the State of Wyoming:*

7

8 **Section 1.** W.S. 22-26-122 is created to read:

9

10 *****
11 *****

12 **STAFF COMMENT**
13 **Modeled after 2024 SF 51 Unlawful dissemination of**
14 **misleading synthetic media, this bill draft prohibits the**
15 **dissemination of synthetic media of a candidate for public**

1 office to influence the outcome of the election. The Select
2 Committee may wish to consider:

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- 4 • Whether the synthetic media should be limited to a
- 5 candidate for office, or applicable to other types of
- 6 elections;
- 7 • Whether anyone should be able to file a lawsuit, or
- 8 only a candidate;
- 9 • Whether an injunction should be the only appropriate
- 10 relief;
- 11 • Whether there should be a limit based on the amount of
- 12 time prior to an election;

13 *****
 14 *****

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16 22-26-122. Unlawful dissemination of misleading
 17 synthetic media; penalties.

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19 (a) As used in this section:

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21 (i) "Record" means as defined in W.S.
 22 40-21-102(a)(xiii);

23

24 (ii) "Synthetic media" means an image, audio
 25 record or video record of a candidate's appearance, speech
 26 or conduct that has been intentionally manipulated or
 27 generated in a manner to create a realistic appearing but
 28 false image, audio or video or other representation that to
 29 a reasonable person is of the candidate in appearance,
 30 action or speech, which appearance, action or speech did

1 not actually occur and which would cause a reasonable
2 person to believe the appearance, action or speech
3 occurred.

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5 (b) A person engages in unlawful dissemination of
6 misleading synthetic media under this section when he
7 knowingly and intentionally disseminates synthetic media
8 with the intent to influence the outcome of any election
9 for public office:

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11 (i) Without:

12

13 (A) Displaying clear and conspicuous notice
14 in any visual synthetic media identifying the synthetic
15 media as synthetic media; or

16

17 (B) If the synthetic media consists of
18 audio only and visual disclosure is not feasible, providing
19 a disclosure identifying the synthetic media as synthetic
20 media, which disclosure shall be read in a clearly spoken
21 manner and in a pitch that can be easily heard by the
22 average listener; and

23

1 (ii) With the intent to mislead others about the
2 appearance, actions or speech of the natural person
3 represented in the synthetic media.

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5 *****

6

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STAFF COMMENT

8 The Committee may wish to consider whether a consent
9 element would be appropriate. Paragraph (b)(i) could be
10 amended to include a new subdivision along the lines of:

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12 (C) The express consent of the natural person;

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16 (c) Any person who is depicted by or who is misled by
17 synthetic media disseminated in violation of subsection (b)
18 of this section may maintain a civil action to enjoin or
19 restrain the dissemination of the synthetic media and may
20 in the same action seek damages from the person who
21 disseminated the synthetic media. A court may award any of
22 the following remedies to a plaintiff prevailing in an
23 action brought pursuant to this section:

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25 (i) Equitable relief;

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27 (ii) Damages;

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1 (iii) Costs and fees, including reasonable
2 attorney fees;

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4 (iv) Exemplary damages in an amount not less
5 than one thousand dollars (\$1,000.00) per plaintiff.

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7 (d) The attorney general may enforce the provisions
8 of this section and investigate violations of this section.

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10 (e) The attorney general or any district attorney may
11 on behalf of the state bring an action for temporary or
12 permanent injunctive or other relief in any court of
13 competent jurisdiction for any violation of this section.
14 The court may, upon entry of final judgment finding a
15 violation of this section, award restitution when
16 appropriate to any person suffering loss because of a
17 violation of this section if proof of the loss is submitted
18 to the satisfaction of the court.

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20 (f) This section shall not prohibit actions under
21 other statutory or common law provisions against conduct or
22 practices identical or similar to those declared to be
23 unlawful by section (b) of this section. However, the

1 remedies provided in this section are the exclusive
2 remedies for actions brought pursuant to this section.

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4 (g) This section shall not apply to:

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6 (i) A radio or television broadcasting station,
7 including a cable or satellite television operator,
8 programmer or producer, that broadcasts an election
9 communication that includes synthetic media prohibited by
10 subsection (b) of this section as part of a bona fide
11 newscast, news interview, news documentary or on-the-spot
12 coverage of a bona fide news event if the broadcast clearly
13 acknowledges through content or a disclosure, in a manner
14 that can be easily heard and understood or read by the
15 average listener or viewer, that there are questions about
16 the authenticity of the synthetic media in the election
17 communication;

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19 (ii) Any entity who broadcasts an advertisement
20 without censorship under 47 U.S.C. 315;

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22 (iii) An internet service provider, search
23 engine, cloud service provider or any affiliate or

1 subsidiary thereof that disseminates misleading synthetic
2 media solely as a result of providing access or connection
3 to information or content on the internet or other
4 electronic sources that are not under the service provider
5 or search engine's control, to the extent that the service
6 provider or search engine is not responsible for the
7 creation of the misleading synthetic media on which an
8 alleged violation of this section is based.

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10 (h) Dissemination of any synthetic media that
11 constitutes satire or parody or is otherwise protected
12 under the first amendment to the United States constitution
13 or article 1, section 20 of the Wyoming constitution shall
14 not be deemed to violate this section.

15

16 **Section 2.** This act is effective July 1, 2025.

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(END)