

STATE OF OKLAHOMA

1st Session of the 60th Legislature (2025)

SENATE BILL 894

By: Coleman

AS INTRODUCED

An Act relating to artificial intelligence; defining terms; prohibiting distribution of certain media within certain time period; requiring certain disclosures; establishing requirements for certain disclosures; authorizing action for certain relief or award of damages; authorizing award for certain costs and fees; establishing certain civil penalties; providing exceptions to applicability of provisions; providing for codification; and providing an effective date.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 401 of Title 75A, unless there is created a duplication in numbering, reads as follows:

A. For purposes of this section:

1. "Artificial intelligence" means a machine-based system that can, for a given set of human-defined objectives, make predictions, recommendations, or decisions influencing real or virtual environments;

1 2. "Deepfake" means synthetic media that depicts a candidate or
2 political party with the intent to tarnish the reputation of the
3 candidate or political party or to deceive in a way that:

4 a. to a reasonable person, appears to depict a real
5 individual saying or doing something that did not
6 occur, or

7 b. provides a fundamentally different understanding or
8 impression of the appearance, action, or speech that a
9 reasonable person would otherwise perceive from the
10 original and unaltered version of the image, audio, or
11 video; and

12 3. "Synthetic media" means an image, audio recording, or video
13 recording of an individual's appearance, speech, or conduct that has
14 been created or intentionally manipulated with the use of generative
15 adversarial network (GAN) techniques or other digital technology in
16 a manner that creates a realistic but false image, audio recording,
17 or video.

18 B. Except as provided in subsection C of this section, a
19 person, corporation, committee, or other entity shall not, within
20 ninety (90) days of an election at which a candidate for elective
21 office will appear on the ballot, create or originally distribute
22 synthetic media that the person, corporation, committee, or other
23 entity has actual knowledge is a deepfake of a candidate or
24 political party on the state or local ballot.

1 C. 1. The prohibition in subsection B of this section shall
2 not apply if the audio or visual media includes a disclosure
3 stating: "This _____ (image, audio, or video) has been
4 manipulated or generated by artificial intelligence."

5 2. For visual media, the text of the disclosure shall appear in
6 a size that is easily readable by the average viewer and no smaller
7 than the largest font size of other text appearing in the visual
8 media. If the visual media does not include any other text, the
9 disclosure shall appear in a size that is easily readable by the
10 average viewer. For visual media that is video, the disclosure
11 shall appear for the duration of the video.

12 3. If the media consists of audio only, the disclosure shall be
13 read in a clearly spoken manner and in a pitch that can be easily
14 heard by the average listener, at the beginning of the audio, at the
15 end of the audio, and, if the audio is greater than two (2) minutes
16 in length, interspersed within the audio at intervals of not greater
17 than two (2) minutes each.

18 D. 1. A candidate whose appearance, action, or speech is
19 depicted through the use of a deepfake may seek injunctive or other
20 equitable relief prohibiting the publication of such deepfake, or
21 may bring an action for general or special damages against the
22 person or entity in violation of subsection B of this section. The
23 court may award a prevailing party court costs and reasonable
24 attorney fees.

1 2. A person or entity may also be held liable for a violation
2 pursuant to subsection B of this section by the State Election Board
3 for civil penalties as follows:

4 a. a fine not to exceed Ten Thousand Dollars (\$10,000.00)
5 if the violation was committed within five (5) years
6 of one or more prior convictions pursuant to this
7 section,

8 b. a fine not to exceed Five Thousand Dollars (\$5,000.00)
9 if the violation was committed with the intent to
10 cause violence or bodily harm, or

11 c. a fine not to exceed One Thousand Dollars (\$1,000.00)
12 in any other case.

13 E. The requirements of this section shall not apply to:

14 1. A radio or television broadcasting station, including a
15 cable or satellite television operator, programmer, or producer,
16 that broadcasts a deepfake prohibited by this section as part of a
17 bona fide newscast, news interview, news documentary, or on-the-spot
18 coverage of bona fide news events, if the broadcast clearly
19 acknowledges through content or a disclosure, in a manner that can
20 be easily heard or read by the average listener or viewer, that
21 there are questions about the authenticity of the materially
22 deceptive audio or visual media;

23 2. A radio or television broadcasting station, including a
24 cable or satellite television operator, programmer, or producer, or

1 an internet website or streaming service, or a regularly published
2 newspaper, magazine, or other periodical of general circulation,
3 including an internet or electronic publication, when it is paid to
4 broadcast or otherwise distribute a deepfake;

5 3. A radio or television broadcasting station, including a
6 cable or satellite television operator, programmer, or producer in
7 cases where federal law requires broadcasters to air advertisements
8 or other messages from legally qualified candidates;

9 4. An internet website, streaming service, or a regularly
10 published newspaper, magazine, or other periodical of general
11 circulation, including an internet or electronic publication, that
12 routinely carries news and commentary of general interest, and that
13 publishes materially deceptive audio or visual media prohibited by
14 this section, if the publication clearly acknowledges through
15 context or a disclosure that there are questions about the
16 authenticity of the materially deceptive audio or visual media; or

17 5. Materially deceptive audio or visual media that constitutes
18 satire or parody.

19 SECTION 2. This act shall become effective November 1, 2025.

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