OREGON SOS

THE PROBLEM

There has been a proliferation of user-friendly Artificial Intelligence (AI) tools released to the public in the past year. Campaigns can easily create high-quality, convincing AI generated content such as image, voice, deepfakes and others. AI is an evolving threat in our highly charged mis, dis, and mal-information (MDM) environment. Requiring disclosures on AI generated content will help voters better understand the content they consume and prevent the spread of MDM.

This concept 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 Election Assistance Commission.

PROPOSED SOLUTION

Require disclaimers on political ads using AI. We recommend introducing a version of the Washington State bill, except for the private cause of action piece and instead mirror enforcement, fines, and penalties under ORS 260.537 for false statements about elections.

This would make the process start with the Elections Division via complaint. If we believe a violation occurred, we have a fast track to the courts who are the ones who ultimately issue penalties of up to $10,000 and injunctions/restraining orders to make people comply.

Articles discussing the emerging threat of AI in elections:
- https://www.npr.org/2023/06/29/1183684732/ai-generated-text-is-hard-to-spot-it-could-play-a-big-role-in-the-2024-campaign
- https://www.cnn.com/2023/05/02/politics/ai-election-ads-2024/index.html
- https://theconversation.com/6-ways-ai-can-make-political-campaigns-more-deceptive-than-ever-209760
- https://www.nytimes.com/2023/06/25/technology/ai-elections-disinformation-guardrails.html

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