

2026 Regular Session

HOUSE BILL NO. 459

BY REPRESENTATIVE MANDIE LANDRY

ELECTIONS/CANDIDATES: Provides relative to the use of artificial intelligence in political campaigns

1 AN ACT

2 To amend and reenact R.S. 18:1463(A), (E), (F), and (G) and to enact R.S. 18:1463(H) and
3 (I), relative to required disclosures in political materials and communications; to
4 provide for disclosures related to the use of artificial intelligence to create the image
5 or likeness of a candidate; to provide for criminal penalties; to provide for
6 definitions; and to provide for related matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. R.S. 18:1463(A), (E), (F), and (G) are hereby amended and reenacted and
9 R.S. 18:1463(H) and (I) are hereby enacted to read as follows:

10 §1463. Political material; ethics; prohibitions

11 A. The Legislature of Louisiana finds that the state has a compelling interest
12 in taking every necessary step to assure that all elections are held in a fair and ethical
13 manner and finds that an election cannot be held in a fair and ethical manner when
14 any candidate or other person is allowed to print or distribute any material which
15 falsely alleges that a candidate is supported by or affiliated with another candidate,
16 group of candidates, or other person, or a political faction, or to publish statements
17 that make scurrilous, false, or irresponsible adverse comments about a candidate or
18 a proposition. The legislature further finds that the state has a compelling interest
19 to protect the electoral process and that the people have an interest in knowing the
20 identity of each candidate whose number appears on a sample ballot in order to be

1 fully informed and to exercise their right to vote for a candidate of their choice. The
 2 legislature further finds that it is essential to the protection of the electoral process
 3 that the people be able to know who is responsible for publications in order to more
 4 properly evaluate the statements contained in them and to informatively exercise
 5 their right to vote. The legislature further finds that it is essential to the protection
 6 of the electoral process to prohibit misrepresentation that a person, committee, or
 7 organization speaks, writes, or acts on behalf of a candidate, political committee, or
 8 political party, or an agent or employee thereof. The legislature further finds that it
 9 is essential to the protection of the electoral process that the public not be deceived
 10 or misled by an image or likeness of a candidate that is created using artificial
 11 intelligence.

12 * * *

13 E.(1) No person shall cause to be distributed or transmitted for or on behalf
 14 of a candidate for political office any oral, visual, digital, or written material
 15 constituting a paid political announcement or advertisement, which is paid for by a
 16 third-party entity, without providing the name of the third-party entity on the face of
 17 the advertisement. The name of the third-party entity shall be included on written
 18 and digital material, political announcements, and advertisements so that it is clear
 19 and understandable.

20 (2) The name of the third-party entity in visual and oral political
 21 announcements or advertisements shall be included so that it is clearly
 22 understandable as well as audible and visible for not less than three seconds. If the
 23 advertisement is placed by a public relations firm, advertising agency, media buyer,
 24 or other person who purchases media advertising or time or space for such
 25 advertising, such person shall provide the information required by this Section.

26 (3) In digital announcements or advertisements, the name of the third-party
 27 entity shall appear in a text sized at least as large as the smallest text in the digital
 28 material or in a heading or similar section of text displayed above or within the
 29 digital material that is visually distinct from the remainder of the digital material's

1 text and shall have a reasonable degree of color contrast between the background and
2 the name of the third-party entity.

3 F.(1) No person shall cause to be distributed or transmitted any oral, visual,
4 digital, or written material constituting a paid political announcement or
5 advertisement which contains the image or likeness of a candidate and that is created
6 using artificial intelligence without providing a disclosure on the announcement or
7 advertisement that it was created using artificial intelligence. The disclosure shall
8 appear in the same manner as provided in Paragraph (E)(3) of this Section.

9 (2) For purposes of this Subsection, "artificial intelligence" shall have the
10 same meaning as provided in R.S. 14:73.14.

11 G.(1) (~~4~~) For the purposes of ~~this Subsection~~ Subsections E and F of this
12 Section, "person" means any individual, partnership, association, labor union,
13 political committee, corporation, or other legal entity, including its subsidiaries.

14 (2) (~~5~~)(a) A media entity who broadcasts a paid political announcement or
15 advertisement, the content of which the broadcaster has no input in or control over,
16 is not subject to the provisions of ~~this Subsection~~ Subsections E and F of this
17 Section.

18 (3) (~~b~~) For purposes of this Subsection, a media entity includes a radio
19 broadcast station, television broadcast station, cable or satellite television company,
20 or other video service provider, streaming video provider, newspaper company,
21 periodical company, billboard company, advertisement agency, or media platform
22 responsible for the production or publication of any advertisement, voice, data, or
23 other communications, information services, or internet access provider, or bona fide
24 news or public interest website operator.

25 H. F. For the purposes of this Section, the term "digital material" means any
26 material or communication that, for a fee or other payment, is placed or promoted
27 on a public facing website, web application, or digital application, including a social
28 network, advertising network, or search engine.

1 I. G. Whoever violates any provision of this Section shall be fined not more
2 than ~~two~~ ten thousand dollars or be imprisoned, with or without hard labor, for not
3 more than two years, or both.

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

HB 459 Original

2026 Regular Session

Mandie Landry

Abstract: Requires a disclosure on political materials when the material contains the image or likeness of a candidate that is created using artificial intelligence, subject to criminal penalties.

Present law (R.S. 18:1463) requires that certain electioneering communications and digital materials contain a disclosure of the person paying for the communication.

Proposed law retains present law and further finds that it is essential to the protection of the electoral process that the public not be deceived or misled by an image or likeness of a candidate that is created using artificial intelligence, and therefore provides that no person shall cause to be distributed or transmitted any oral, visual, digital, or written material constituting a paid political announcement or advertisement which contains the image or likeness of a candidate that is created using artificial intelligence without providing a disclosure on the announcement or advertisement that it was created using artificial intelligence.

Present law requires digital announcements or advertisements paid for by a third-party entity to contain the name of the third-party entity which shall appear in a text sized at least as large as the smallest text in the digital material or in a heading or similar section of text displayed above or within the digital material that is visually distinct from the remainder of the digital material's text and shall have a reasonable degree of color contrast between the background and the name of the third-party entity.

Proposed law retains present law and requires the disclosure provided for in proposed law to appear in the same manner.

Proposed law exempts a media entity that broadcasts a paid political announcement or advertisement from the requirements of proposed law if the broadcaster has no input in or control over the content of the announcement or advertisement.

Present law provides that whoever violates present law shall be fined not more than \$2,000 or be imprisoned, with or without hard labor, for not more than two years, or both.

Proposed law increases the criminal fine from \$2,000 to \$10,000 and applies the same penalties to a violation of proposed law.

Present law defines "digital material" as any material or communication that, for a fee, is placed or promoted on a public facing website, web application, or digital application, including a social network, advertising network, or search engine.

Proposed law adds to the present law definition of "digital materials" materials or communications placed or promoted for any payment other than a fee.

Present law (R.S. 14:73.14) defines "artificial intelligence" as an artificial system developed in computer software, physical hardware, or other context that solves tasks requiring human-like perception, cognition, planning, learning, communication, or physical action.

Proposed law retains present law and applies the same definition to proposed law.

(Amends R.S. 18:1463(A), (E), (F), and (G); Adds R.S. 18:1463(H) and (I))