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 639 Original   2026 Regular Session   Bayham

Abstract: Requires a disclosure on political materials and at the beginning of a telephone campaign communication when the material or communication is created using artificial intelligence, subject to criminal or civil 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 a political communication generated by 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 is created using artificial intelligence without providing a clear and understandable disclosure on the announcement or advertisement that it was created using artificial intelligence.

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 retains present law and applies the same penalties to a violation of proposed law.

Present law (R.S. 18:1463.1) requires any telephone call or automated call expressly advocating support or opposition of a candidate, or elected public official, or ballot proposition to identify the source of the call. Such requirement does not apply to any telephone call in which the individual making the call is not being paid and the individuals participating in the call knew each other prior to the call or a call that is presumed to be a scientific poll.

Proposed law retains present law and further provides that no person shall make or cause to be made any telephone call or automated call provided for in present law which is created using artificial intelligence without providing a clear and understandable disclosure at the beginning of the call that it was created using artificial intelligence.

Present law provides that whoever violates present law may be punished by a civil fine not to exceed $2,500. Upon a second or subsequent violation, the penalty shall be a civil fine not to exceed $5,000.

Proposed law retains present law and applies the same to penalties to violations of proposed law.

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) and 1463.1(D) and (E); Adds R.S. 18:1463(H) and (I) and 1463.1(F))