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## DIGEST

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HB 459 Engrossed

2026 Regular Session

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**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))