SENATE . . . . . No. 2631

The Commonwealth of Massachusetts

In the One Hundred and Ninety-Fourth General Court
(2025-2026)

SENATE, October 16, 2025.

The committee on Advanced Information Technology, the Internet and Cybersecurity to whom was referred the petition (accompanied by bill, Senate, No. 44) of Michael O. Moore for legislation relative to deceptive and fraudulent deepfakes in election communications, report the accompanying bill (Senate, No. 2631).

For the committee,
Michael O. Moore

FILED ON: 10/8/2025

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An Act to protect against election misinformation.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

Chapter 56 of the General Laws is hereby amended by inserting after section 42 the following section:-

Section 42A. Election Misinformation

(a) As used in this section, the following words shall have the following meanings unless the context clearly requires otherwise:-

"Artificial intelligence", computerized methods and tools, including but not limited to machine learning and natural language processing, that act in a way that resembles human cognitive abilities when it comes to solving problems or performing other tasks.

"Candidate", shall have the same meanings as in section 1 of chapter 55.

"Generative artificial intelligence", artificial intelligence technology that is capable of generating content such as text, audio, image, or video based on patterns learned from large volumes of data.

13 “Materially deceptive election-related communication”, communication in any media,
14 including but not limited to written, audio, visual, or synthetic media, that contains verifiably
15 false information regarding: (i) the date, time, or place of an election; (ii) the requirements,
16 methods, and deadlines for registering to vote; (iii) the requirements, methods, and deadlines for
17 voting; (iv) any certification related to an election; or (v) the express endorsement of a candidate
18 or ballot initiative by a political party, elected official, nonprofit organization, or other person.

19 “Person”, an individual, corporation, political committee, association, operation, firm,
20 partnership, trust or other form of business or personal association.

21 “Political party”, shall have the same meaning as in section 1 of chapter 50 of the General
22 Laws.

23 “Synthetic media”, audio or video content substantially produced by generative artificial
24 intelligence.

25 (b) Except as provided in subsection (d), a person, candidate, campaign committee,
26 political action committee, political issues committee, political party or other entity shall not,
27 within 90 days of an election at which a candidate for elective office will appear on the ballot,
28 distribute with actual malice materially deceptive election-related communication with the intent
29 to mislead voters as to the date, time, or place of an election; the requirements, methods, and
30 deadlines for registering to vote; the requirements, methods, and deadlines for voting; any
31 certification related to an election; or the express endorsement of a candidate or ballot initiative
32 by a political party, elected official, nonprofit organization, or other person.

33 (c)(1) A person whose voice or likeness appears in a materially deceptive election-related
34 communication distributed in violation of this section or the attorney general may seek injunctive
35 or other equitable relief prohibiting the distribution of such communication.

36 (2) A person whose voice or likeness appears in a materially deceptive election-related
37 communication distributed in violation of this section may bring an action for general or special
38 damages against a person, candidate, campaign committee, political action committee, political
39 issues committee, political party or other entity that distributed such communication. A court
40 may also award a prevailing party reasonable attorney's fees and costs. This subsection shall not
41 limit or preclude a plaintiff from securing or recovering any other available legal remedy.

42 (3) In any civil action alleging a violation of this section, the plaintiff shall bear the
43 burden of establishing the violation through clear and convincing evidence.

44 (d)(1) This section shall not alter or negate any rights, obligations or immunities of an
45 interactive service provider under 47 U.S.C. section 230.

46 (2) This section shall not apply to a radio or television broadcasting station, including a
47 cable or satellite television operator, programmer, producer or mobile application or streaming
48 service that broadcasts a materially deceptive election-related communication prohibited by this
49 section as part of a bona fide newscast, news interview, news documentary, commentary of
50 general interest, or on-the-spot coverage of bona fide news events, if the broadcast clearly
51 acknowledges through content or a disclosure, in a manner that can be easily heard or read by the
52 average listener or viewer, that such communication is manipulated or that there are questions
53 about its authenticity.

54 (3) This section shall not apply to a radio or television broadcasting station, including a
55 cable or satellite television operator, programmer, producer or mobile application or streaming
56 service when it is paid to broadcast the materially deceptive election-related communication.

57 (4) This section shall not apply to an internet website or a regularly published newspaper,
58 magazine or other periodical of general circulation, including an internet or electronic
59 publication, that routinely carries news and commentary of general interest, and that publishes a
60 materially deceptive election-related communication prohibited by this section, if the publication
61 clearly states that such communication is manipulated or that there are questions about its
62 authenticity.

63 (5) This section shall not apply to materially deceptive election-related communications
64 that constitute satire or parody.