



Missouri House of Representatives

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Missouri House Passes Legislation to Spearhead Rising Deepfake Media: A First for Electronic Communications in Missouri

JEFFERSON CITY, Mo. –The Missouri House has successfully third read and passed HBs 2628 & 2603, making it a first-of-its-kind for Missouri. The passage of this vital legislation marks a significant step toward the goal of combatting potentially harmful consequences of the growing technological landscape of artificial media.

HBs 2628 & 2603, sponsored by State Representative Ben Baker, addresses aspects of deceptive and fraudulent media in two specific areas; one regarding political candidates within 90 days of an election, the other area of concentration pertains to telephone services and establishing the “Caller ID Anti-Spoofing Act”.

Such media, to the reasonable individual, would appear to depict a real person saying or doing something that did not actually occur. This type of media can include includes images, audio and video recordings depicting an individual’s appearance, speech or conduct, intentionally created or manipulated with the use of artificial generative techniques or other technology, to create realistic but false images, audio or video.

With regard to political candidates, deepfake media could provide a fundamentally different understanding or impression of the candidate or party to voters in the depiction of appearance, action, or speech compared to an original or unaltered image, audio or video recording. This bill would prohibit the distribution of any fake media message of any candidate for elective office within 90 days of an election that the candidate would appear on a state or local ballot. There are provisions made for varying media outlets and broadcasters with the understanding there is to be distinct and easily read or heard disclosure of questionable media in the content they are covering.

If a candidate is harmed by violation of the provisions in the bill, they may seek to prohibit publication of the deepfake and violators may be subject to the following penalties:

- Class B Misdemeanor
- Class A Misdemeanor if made with intent to cause violence or bodily harm

- Class E Felony if committed within 5 years of 1 or more prior convictions

The bill adds business subscribed telephone users to the No-Call List, and creates the “Caller ID Anti-Spoofing Act”. The Act makes call spoofing (the act of knowingly giving misleading or false caller ID information with the intent to defraud, harm, harass, or wrongfully obtain anything of value) a class C misdemeanor first offense, and a class A misdemeanor additional offenses.

The bill provides that recipients of any call in which the caller uses false caller ID information may recover punitive damages against the caller up to \$5,000 per call.

With an unwavering commitment to serving the interests of Missourians, Representative Baker advocated for the passage of this bill, recognizing its potential to protect citizens and implement safeguards against an ever-changing technological landscape.

"I know there will be more bills to come as artificial intelligence and fake media forms develop and expand. These bills are much needed to get us started and I am incredibly proud to celebrate the passage of these two bills and the positive impact they will have for communications in Missouri." stated Baker, R-Neosho. "Missourians have a right to transparency in their news outlets, and to be protected from fraudulent endeavors and bad characters. Through these bills, I believe they can have both."

Passing out of the House, HBs 2628 & 2603 will next be heard in the Missouri Senate, where Representative Baker continues to be hopeful for successful passage before the end of the legislative session.

Rep. Ben Baker, a Republican, represents part of Newton County, (District 160) in the Missouri House of Representatives. Rep. Baker was elected in November 2018. For more information, please contact Rep. Baker at 573-751-9781 or by email at Ben.Baker@house.mo.gov

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