

## AMENDMENTS TO HOUSE BILL NO. 2353

Sponsor: REPRESENTATIVE HILL-EVANS

Printer's No. 3185

1 Amend Bill, page 1, lines 12 through 16; page 2, lines 1  
2 through 18; by striking out "Any of the following:" in line 12,  
3 all of lines 13 through 16 on page 1 and all of lines 1 through  
4 18 on page 2 and inserting

5 As follows:

6 (1) A machine-based system that can, for a given set of  
7 human-defined objectives, make predictions, recommendations  
8 or decisions influencing real or virtual environments,  
9 including the ability to:

- 10 (i) perceive real and virtual environments;  
11 (ii) abstract perceptions made under subparagraph  
12 (i) into models through analysis in an automated manner;  
13 and  
14 (iii) use model inference to formulate options for  
15 information or action based on outcomes under  
16 subparagraphs (i) and (ii).

17 (2) The term includes generative artificial  
18 intelligence.

19 Amend Bill, page 2, line 25, by striking out the period after  
20 "Code" and inserting

21 , including a candidate for President of the United States.

22 "Covered person." Any of the following:

23 (1) A firm, partnership, corporation, limited liability  
24 company, association, organization or similar entity.

25 (2) A political committee, including a political action  
26 committee, a political party or a political body.

27 (3) A political action committee that only receives  
28 contributions to make independent expenditures.

29 (4) A foreign government, including any agency or  
30 instrumentality thereof.

31 (5) An employee, contractor or individual acting at the  
32 behest of an entity specified under paragraph (1), (2), (3)  
33 or (4) or an officer, director, employee, owner, shareholder  
34 or contractor thereof.

1 Amend Bill, page 2, by inserting between lines 29 and 30

2 "Generative artificial intelligence." The class of models  
3 that emulate the structure and characteristics of input data in  
4 order to generate derived synthetic content.

5 Amend Bill, page 3, by inserting between lines 3 and 4

6 "Synthetic content." Information such as images, videos,  
7 audio clips and text that have been significantly modified or  
8 generated by algorithms, including artificial intelligence.

9 Amend Bill, page 3, line 6, by inserting after "Liability.--

10 A"

11 covered

12 Amend Bill, page 3, line 9, by inserting after "the" where it  
13 occurs the second time

14 covered

15 Amend Bill, page 3, by inserting between lines 14 and 15

16 (a.1) Clear and conspicuous disclosure.--A covered person  
17 shall not be liable for a fraudulent misrepresentation under  
18 subsection (a) if the campaign advertisement contains a clear  
19 and conspicuous disclosure. The disclosure under this subsection  
20 must:

21 (1) State that the campaign advertisement contains  
22 synthetic content of a current or former candidate for public  
23 office. The disclosure shall be in substantially the  
24 following form:

25 This (text/image/video/sound) has been manipulated or  
26 generated using synthetic content.

27 (2) Be displayed in the first instance when the campaign  
28 advertisement is presented.

29 (3) Be presented in a manner reasonably understandable  
30 and readily noticeable. The following shall apply:

31 (i) For content presented in static images, the  
32 disclosure shall be in written form, in a size and font  
33 that is easily readable by the average viewer, accessible  
34 screen readers and other technology to assist visually  
35 impaired users.

36 (ii) For content presented in video formats, the  
37 disclosure shall appear for the duration of the video in  
38 a format that is easily readable by the average viewer.  
39 The disclosure shall be read in a clearly spoken manner  
40 and in a pitch and at a speed that can be easily heard by  
41 the average listener at the beginning and end of the  
42 video.

43 (iii) For content that consists of only audio, the

1 disclosure shall be read in a clearly spoken manner and  
2 in a pitch and at a speed that can be easily heard by the  
3 average listener at the beginning and end of the audio,  
4 and, if the audio is more than two minutes in length,  
5 interspersed within the audio at intervals of not more  
6 than two minutes each.

7 Amend Bill, page 3, line 16, by inserting after "a" where it  
8 occurs the second time  
9 covered

10 Amend Bill, page 3, line 17, by inserting after "the"  
11 covered

12 Amend Bill, page 3, line 25, by inserting after "the" where  
13 it occurs the first time

14 immediate removal of the campaign advertisement and

15 Amend Bill, page 4, lines 1 and 2, by striking out "a unique  
16 artificially generated impersonation" and inserting  
17 unique synthetic content

18 Amend Bill, page 4, line 2, by inserting after "the"  
19 covered

20 Amend Bill, page 4, line 5, by striking out "An amount of"

21 Amend Bill, page 4, lines 5 and 6, by striking out

22 "individual impersonated is" and inserting

23 campaign advertisement contains unique synthetic  
24 content of

25 Amend Bill, page 4, line 7, by striking out the period after  
26 "Commonwealth" and inserting

27 for which the candidate files with the county board  
28 of elections under section 913 of the Pennsylvania  
29 Election Code.

30 Amend Bill, page 4, line 8, by striking out "An amount of"  
31 and inserting

32 Except as provided in subparagraph (iii),

33 Amend Bill, page 4, lines 8 and 9, by striking out

34 "individual impersonated is" and inserting

1           campaign advertisement contains unique synthetic  
2           content of  
3       Amend Bill, page 4, line 10, by striking out the period after  
4 "Commonwealth" and inserting  
5           for which the candidate files with the Secretary of  
6           the Commonwealth under section 913 of the Pennsylvania  
7           Election Code.  
8       Amend Bill, page 4, line 11, by striking out "An amount of"  
9  
10       Amend Bill, page 4, lines 11 and 12, by striking out  
11 "individual impersonated is" and inserting  
12           campaign advertisement contains unique synthetic  
13           content of  
14       Amend Bill, page 4, line 16, by inserting after "a" where it  
15 occurs the second time  
16       covered  
17       Amend Bill, page 4, line 19, by inserting after "the"  
18       covered  
19       Amend Bill, page 4, line 21, by inserting after "the" where  
20 it occurs the first time  
21       covered  
22       Amend Bill, page 4, line 22, by inserting after  
23 "advertisement"  
24       containing synthetic content of a current or former candidate  
25       Amend Bill, page 4, lines 22 and 23, by striking out  
26 "individual impersonated" and inserting  
27       candidate  
28       Amend Bill, page 4, line 23, by inserting after "the" where  
29 it occurs the first time  
30       covered  
31       Amend Bill, page 4, line 24, by striking out "individual  
32 impersonated" and inserting  
33       candidate

1 Amend Bill, page 4, line 25, by striking out "individual's"  
2 and inserting  
3 candidate's

4 Amend Bill, page 4, line 26, by inserting after "Location.--  
5 A"  
6 covered

7 Amend Bill, page 4, line 27, by inserting after "the"  
8 covered

9 Amend Bill, page 5, line 30, by striking out "individual  
10 impersonated" and inserting  
11 candidate

12 Amend Bill, page 6, lines 2 through 12, by striking out all  
13 of said lines and inserting

14 (5) An interactive computer service, as defined in 47  
15 U.S.C. § 230 (relating to stations liable to interfere with  
16 distress signals; designation and regulation).

17 (6) An Internet service provider, cloud provider,  
18 cybersecurity provider, communication service provider or  
19 telecommunications network.

20 (g) Construction.--Nothing in this act shall be construed to  
21 restrict the ability of a covered person to detect, prevent,  
22 respond to or protect against security incidents, identity  
23 theft, fraud, harassment, malicious or deceptive activities or  
24 any illegal activity, preserve the integrity or security of  
25 systems or investigate, report or prosecute those responsible  
26 for any such action.

27 Amend Bill, page 6, line 15, by inserting after "any"  
28 covered