

Hall of the House of Representatives
95th General Assembly - Regular Session, 2025
Amendment Form

Subtitle of House Bill 1141

TO CREATE CRIMINAL OFFENSES RELATED TO DECEPTIVE AND INJURIOUS MEDIA
IN THE COURSE OF ELECTION CAMPAIGNS.

Amendment No. 1 to House Bill 1141

Amend House Bill 1141 as originally introduced:

Delete SECTION 1 in its entirety, and substitute the following:

"SECTION 1. Arkansas Code § 7-1-103(a), concerning misdemeanors under the laws governing elections in the State of Arkansas, is amended to add an additional subdivision to read as follows:

(25)(A)(i) As used in this subdivision (a)(25), "deep fake" means a medium of communication that is deliberately manipulated using artificial intelligence technology to appear to depict a real person performing an action that did not occur for the purpose of attempting to deceive the viewer into believing the action did occur and for which no reasonable observer could believe there was an intent other than to injure the candidate.

(ii) As used in this subdivision (a)(25), "deep fake" does not include:

(a) A cartoon, caricature, or any other communication that a reasonable viewer would understand to be a satirical representation of the individual;

(b) A communication altered only to change the saturation, brightness, contrast, color, or any other superficial quality of the image; or

(c) Any communication that is otherwise lawful under the Arkansas Constitution, Article 2, § 6 or under the First Amendment to the United States Constitution.



(B) It shall be unlawful for a person to purposely injure a candidate for office in Arkansas by:

(i) Creating or causing to be created a deep fake;
and

(ii) Publishing, distributing, or causing to be published or distributed the deep fake during the period beginning ninety (90) days before the date of the general election and ending on the date of the general election with the knowledge that the published or distributed communication was a deep fake.

(C) It is an affirmative defense to prosecution for an offense under this subdivision (a)(25) that the deep fake of the candidate included a clear label on the image stating that the communication was a deep fake."

The Amendment was read _____
By: Representative R. Scott Richardson
LJH090/LJH - 02-11-2025 11:09:23
LJH090

Chief Clerk