



TECHNET
THE VOICE OF THE
INNOVATION ECONOMY

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January 31, 2024

The Honorable Pat Proctor
Chairperson
House Committee on Elections
Kansas Legislature
300 W. 10th
Topeka, KS 66612

Re: HB 2559, Generative AI Elections, TechNet Amend

I write on behalf of TechNet to respectfully ask that HB 2559 (Proctor, Miller) is amended by the Committee.

TechNet is the national, bipartisan network of technology CEOs and senior executives that promotes the growth of the innovation economy by advocating targeted policy agenda at the federal and 50-state level. TechNet's diverse membership includes dynamic American businesses ranging from startups to the most iconic companies on the planet and represents over 4.5 million employees and countless customers in the fields of information technology, artificial intelligence, ecommerce, the sharing and gig economies, advanced energy, transportation, cybersecurity, venture capital, and finance.

AI has the potential to help us solve the greatest challenges of our time. It is being used to predict severe weather more accurately, protect critical infrastructure, defend against cyber threats, and accelerate the development of new medical treatments, including life-saving vaccines and ways to detect earlier signs of cancer. However, recognizing and addressing the genuine risks associated with AI is crucial for its responsible advancement. That includes preventing candidates and their agents from using AI to release deliberately misleading campaign content.

TechNet supports the clear disclosure by the creators of political content that is created in whole or in part by generative artificial intelligence tools. TechNet supports the adoption of federal law that would bring uniformity on this topic for all Americans, to ensure that voters have confidence that the information they receive about candidates is accurate and reliable. Yet, in the absence of such a federal framework, TechNet has provided the following suggestions in an effort to promote that uniformity with other states. Our suggestions are as follows:

- Page 2, Lines 15-20: Ensure that the creator or poster of the content is the entity that is held accountable for providing the disclosure that content is created with generative artificial intelligence tools:
 - (A) the use of ~~using~~ synthetic media by an advertiser or content creator in any election campaign communication through any medium to alter the appearance, action or speech of a candidate; or
 - (B) the use of ~~using~~ synthetic media by an advertiser or content creator in any communication through any medium to alter the appearance, action or speech of an elected or appointed state ~~O~~fficial.
 - (C) Something is not considered synthetic media if it includes clear and conspicuous disclosure that states that the media has been wholly or substantially modified by artificial intelligence.

- Pages 2-3, Lines 22-35: Strike (c). We support the disclosure of the use of generative artificial intelligence, however the disclosure parameters should not be specified beyond providing for clear and conspicuous messaging. As currently drafted, paragraph (c) and its subparagraphs create a compliance burden to verify the requirements of each state. This creates uniformity between the states to ensure both enforcement and compliance, and that Kansans and residents of other states have confidence that the information they receive about candidates is accurate and reliable.

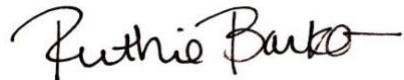
- Page 4, Lines 26-28: Ensure that the creator or poster of the content is the entity that is held accountable for providing the disclosure that content is created with generative artificial intelligence tools:
 - (F)(1) the use of ~~using~~ synthetic media by an advertiser or content creator in any election campaign communication through any medium to alter the appearance, action or speech of a ~~C~~eandidate.
 - (2) Something is not considered synthetic media if it includes clear and conspicuous disclosure that states that the media has been wholly or substantially modified by artificial intelligence.

- Page 4-5, Lines 36-7: Strike (c). We support the disclosure of the use of generative artificial intelligence, however the disclosure parameters should not be specified beyond providing for clear and conspicuous messaging. As currently drafted, paragraph (c) and its subparagraphs create a compliance burden to verify the requirements of each state. This creates uniformity between the states to ensure both enforcement and compliance, and that Kansans and residents of other states have confidence that the information they receive about candidates is accurate and reliable.

For the reasons stated in this letter, we respectfully ask you to amend HB 2559 in committee. Thank you for your consideration of our proposed changes, we look forward to continuing to work with the Committee and the opportunity to provide feedback on this bill and will reach out if we have additional feedback on this

legislation for the Committee. If you have any questions regarding our edits, please contact me at rbarko@technet.org.

Best regards,

A handwritten signature in black ink that reads "Ruthie Barko". The signature is written in a cursive, flowing style.

Ruthie Barko
Executive Director, Colorado & the Central U.S.
TechNet

Cc: Members of the House Elections Committee