

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2023

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HOUSE BILL 1072

Short Title: Require Disclaimer/Use of AI in Political Ads. (Public)

Sponsors: Representatives Cleveland and Riddell (Primary Sponsors).

For a complete list of sponsors, refer to the North Carolina General Assembly web site.

Referred to: Election Law and Campaign Finance Reform, if favorable, Judiciary 2, if favorable, Rules, Calendar, and Operations of the House

May 23, 2024

1 A BILL TO BE ENTITLED
2 AN ACT TO REQUIRE DISCLAIMER IN POLITICAL ADVERTISEMENTS USING
3 ARTIFICIAL INTELLIGENCE (A.I).

4 The General Assembly of North Carolina enacts:

5 **SECTION 1.** G.S. 75-104(b) reads as rewritten:

6 "(b) Notwithstanding subsection (a) of this section, a person may use an automatic dialing
7 and recorded message player to make an unsolicited telephone call only under one or more of the
8 following circumstances:

9 (1) All of the following are satisfied:

10 a. The person making the call is any of the following:

11 1. A tax-exempt charitable or civic organization.

12 2. A political party or political ~~candidate~~ candidate and the call
13 satisfies the requirements of G.S. 163-278.18A.

14 3. A governmental official.

15 4. An opinion polling organization, radio station, television
16 station, cable television company, or broadcast rating service
17 conducting a public opinion poll.

18 b. No part of the call is used to make a telephone solicitation.

19 c. The person making the call clearly identifies the person's name and
20 contact information and the nature of the unsolicited telephone call.

21"

22 **SECTION 2.** Article 22A of Chapter 163 of the General Statutes is amended by
23 adding a new section to read:

24 "**§ 163-278.18A. Require disclaimer for use of artificial intelligence in political**
25 **advertisements.**

26 (a) For purposes of this section, the following definitions shall apply:

27 (1) Artificial intelligence. – The capability of computer systems or algorithms to
28 imitate intelligent human behavior. The term includes generative artificial
29 intelligence.

30 (2) Political advertisement. – An advertisement as defined under
31 G.S. 163-278.38Z(1), including communications sent by email, text,
32 automated calling, or appearing on a website or social media platforms.

33 (b) If a political advertisement is created in whole or in part by using artificial
34 intelligence, the political advertisement shall comply with the disclosure requirements under



1 G.S. 163-278.39 and the requirements of this section. The disclaimer shall bear in its legend or
2 include the statement: "This advertisement was created using artificial intelligence."

3 (c) When a political advertisement using artificial intelligence is transmitted by a social
4 media platform, the disclosure statement shall comply with the size requirements provided in
5 G.S. 163-278.39(b). When a political advertisement using artificial intelligence is transmitted
6 through automated calling, the disclosure statement shall last at least two seconds, provided the
7 statement is spoken so that its contents may be easily understood.

8 (d) Any candidate, candidate campaign committee, political party organization, political
9 action committee, referendum committee, individual, or other sponsor using artificial intelligence
10 in a political advertisement that fails to include the disclaimer required by this section is guilty
11 of a Class 1 misdemeanor."

12 **SECTION 3.** This act is effective when it becomes law and applies to political
13 advertisements using artificial intelligence on or after that date.