March 12, 2025

The Honorable Kristin Roers, Chair
Senate Committee on State & Local Government
State Capitol
600 East Boulevard Avenue
Bismarck ND 58505

RE: First Engrossed HB 1167 relating to artificial intelligence disclosure statements.

Dear Chair Roers and Members of the Committee:

Thank you for the opportunity to provide comments on HB 1167. TechNet would like to recommend an amendment to align this bill with other states who have also passed similar laws.

I am Rose Feliciano, Executive Director of Washington + Northwest for TechNet. TechNet is the national, bipartisan network of technology CEOs and senior executives that promotes the growth of the innovation economy by advocating a 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, e-commerce, the sharing and gig economies, advanced energy, transportation, cybersecurity, venture capital, and finance.

TechNet believes HB 1167 is a commonsense bill on political advertising. Other states have passed laws requiring disclosure of the use of artificial intelligence in political advertising. In those states, the responsibility for the disclosure statement is appropriately and clearly placed on the sponsor of the advertisement. It is important to ensure that same clarity in this bill too. TechNet recommends the following language:

> **SECTION 1.** Any action taken for a political purpose, including communication and political advertising in support of or opposition to a candidate, political committee, or a political party, or for the purpose of promoting passage or defeat of initiated or referred measures or petitions, containing images, graphics, videos, audio, ~~text,~~ or other digital content created in whole or in part with the use of artificial intelligence to visually or audibly impersonate a human, prominently must state the following disclaimer: "This content generated by artificial intelligence." The sponsor of the action shall be responsible for including the disclaimer.

> **SECTION 3.** For purposes of this section, "artificial intelligence" means a machine-based system capable of creating images, graphics, videos, audio, text, and other digital content based on human defined objectives or data patterns. The term does not include systems that are explicitly programmed with rules or tools solely designed

to assist with grammar, spelling, or word suggestions without generating human likeness or voice. "Sponsor" means a legal or natural person at whose request or on whose behalf political advertising or communications is prepared, placed, published or disseminated.

TechNet's intent is not to undermine the intent of the bill, but believe it is reasonable and responsible to require the entity placing the advertisement be the entity responsible for the disclosure.

Please let me know if you have any questions. I can be reached at rfeliciano@technet.org or 206-326-0712. I appreciate your consideration.

Sincerely,

Rose Feliciano
Executive Director
Washington + Northwest

cc: The Honorable Jonathan Warrey