

**2025 HOUSE GOVERNMENT AND VETERANS AFFAIRS**

**HB 1167**

## 2025 HOUSE STANDING COMMITTEE MINUTES

### GOVERNMENT VETERANS AFFAIRS COMMITTEE

PIONEER ROOM, STATE CAPITOL

HB 1167

1/17/2025

Relating to artificial intelligence disclosure statements.
------------------------------------------------------------

9:25 a.m. Chairman Schauer called the meeting to order.

Members present: Chairman Schauer, Representatives Bahl, Brown, Christy, Grindberg, Karls, McLeod, Rohr, Schneider, Steiner, VanWinkle, Vetter, Wolff

Members absent: Vice Chairman Satrom

#### **Discussion Topics:**

- Definition for Artificial Intelligence

9:26 a.m. Representative Warrey, testified in favor.

9:28 a.m. Sandra McMerty, Deputy Secretary of State, testified in favor and submitted testimony, #29684.

9:37 a.m. Terry Efferts, Tech ND, testified in opposition.

#### **Additional written testimony:**

Hayden Goldberg, submitted testimony in favor of, #29742.

9:42 a.m. Chairman Schauer closed the hearing.

*Jackson Toman, Committee Clerk*



## HOUSE BILL NO. 1167

JANUARY 17, 2025

HOUSE GOVERNMENT & VETERANS AFFAIRS  
REPRESENTATIVE AUSTEN SCHAUER, CHAIRMAN

TESTIMONY PRESENTED BY

**SANDY McMERTY, DEPUTY SECRETARY OF STATE**

Chairman Schauer and members of the committee, I'm Sandy McMerty and I serve as deputy for Secretary of State Michael Howe. I am here in support of HB1167 which seeks to create disclosures statements for communications or advertising related to a political purpose that have been generated with artificial intelligence or AI.

AI is growing in its usage, especially in the world of design, graphics and media, and has many practical applications in creating efficiencies in the flow of work for many organizations. This bill has a simple purpose which is to add a new section to NDCC 16.1-10, which is to require communications for any political purpose to disclose if they have used AI in the generation of images, graphics, video, audio, text or other digital content in whole or in-part. This section would require a disclosure informing the public that "This content generated by artificial intelligence," similar to other disclosures like "Paid for" statements you currently see in advertising used in political campaigns.

We believe this disclosure is important to give citizens awareness of content for political purpose that has been created with AI, so they can better discern when content may or may not have been altered through the means of artificial intelligence to promote a position or candidate.

I ask for your support of HB1167.

Thursday, January 16, 2025

Dear Members of the House Government and Veterans Affairs Committee,

## Introduction

I am writing to provide feedback on House Bill No. 1167 (“HB 1167”), which proposes to require disclaimers for political communications containing content generated by artificial intelligence. I support the bill, but suggest five modifications to increase its effectiveness.

First, I would like to share a little bit of my background to contextualize my comment. I currently reside in Kirkland, Washington and in August 2024 completed by Masters in Science in Social Science of the Internet from Oxford University in Oxford, England. My thesis was entitled *States Legislating Against Digital Deception: A Comparative Study of Laws to Mitigate Deepfake Risks in American Political Advertisements* and it examined 10 state laws that mandated if a political advertisement used AI-generated conduct, it had to include a label.<sup>1</sup> In this respect, these laws are similar to HB 1167. Usually these come in the form of “deepfakes” which are artificially created, lifelike visual and audio representations of people. My thesis asked the question “are these new laws necessary?”, which I answered by assessing if existing laws could address the same issues legislators intended the laws to address. I found that for the most part, they are: existing laws do not address the risks new laws were meant to address. To ascertain the intent of the new laws, I found, transcribed, and analyzed 25 hearings across the country. As such, I’m familiar with the arguments made by legislators across the country, including in Florida, Washington, Indiana, and Idaho.

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<sup>1</sup> A pdf copy is available at [https://papers.ssrn.com/sol3/papers.cfm?abstract\\_id=4912795](https://papers.ssrn.com/sol3/papers.cfm?abstract_id=4912795). An article based on this work is forthcoming in the spring 2025 edition of the Notre Dame Journal on Emerging Technology. See Hayden Goldberg, *States Legislating Against Digital Deception*, 6 NOTRE DAME J. ON EMERGING TECH. \_\_\_\_ (2025).

I continue to track and write about state deepfake laws nationally, and have two related ongoing research projects. Additionally, in September I submitted a more detailed public comment to a July 2024 rules proposal mandating labels in campaign ads for federal candidates from the Federal Communications Commission.<sup>2</sup> (MB 24-211). The rest of comment draws on my experience and knowledge from research and writing my thesis, and working on related projects.

### **The premise of HB 1167 should be commended**

With this background in mind, I am fully supportive of the intent behind HB 1167. Deepfakes have the potential to deceive people into thinking a video or audio is real, even though it isn't. This can be really harmful to the information environment; so much of our current society is based on the idea that a video is bedrock proof; if something is on video, then it happened. No "ifs", "ors", or "buts". But deepfakes threaten to undermine this,<sup>3</sup> and in high stakes areas like elections, it is critical that their threat be mitigated.

This is where labeling comes in. Labeling allows people to get more information or context about something they are viewing, and then make their own decisions using that information. Just like a nutrition label, labels on a campaign ad would provide voters more information about the product (in this case, an ad or political communication) and its origin. Moreover, this follows

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<sup>2</sup> This was in response to docket MB-24-211: Disclosure and Transparency of Artificial Intelligence-Generated Content in Political Advertisements. My comments are available at <https://www.fcc.gov/ecfs/document/10915126216559/1>. However, this proposed rule only applies to federal candidates, while HB 1167 should apply to state and local candidates as well.

<sup>3</sup> See e.g. Don Fallis, *The Epistemic Threat of Deepfakes*, 34 PHIL. & TECH. 623, 625 (2021) ("The main epistemic threat is that deepfakes can easily lead people to acquire false beliefs. That is, people might take deepfakes to be genuine videos and believe that what they depict actually occurred."). A related version of this problem is known as the Liar's Dividend. This is where someone can claim that a video is false even if it is true. See Robert Chesney & Danielle Citron, *Deep Fakes: A Looming Challenge for Privacy, Democracy, and National Security*, 107 CAL. L. REV. 1753, 1785-1786 (2019).

in the path of existing laws that mandate disclosure of the sponsor or funder of ads.<sup>4</sup> Under HB 1167 – and label requirements in general - voters retain agency over what they do with the information. This balance - ensuring people have adequate information without restricting speech - is reached with a requirement to label campaign ads and other political communications. Accordingly, I support the premise of the bill.

### **Five Suggested Modifications**

However, I believe it can be improved in five key areas to enhance its clarity, enforceability, and alignment with existing laws.

First, North Dakota Century Code § 16.1-10-04 (part of the chapter the HB 1167 amends) already prohibits publishing political advertisements that are materially false or misleading with knowing or reckless disregard for the truth. HB 1167 should explicitly clarify that compliance with its new requirements does not absolve liability under § 16.1-10-04. For example, if an AI-generated political ad includes a disclaimer but is otherwise false or misleading, it should still be subject to sanctions under the existing law.<sup>5</sup>

This situation is analogous to Wisconsin. There, hearings on Assembly Bill 664 (“AB 664”),<sup>6</sup> recognized Wis. Stat. Ann. § 12.05, which states in full “No person may knowingly make or publish, or cause to be made or published, a false representation pertaining to a candidate or referendum which is intended or tends to affect voting at an election.” AB 664 specifically stated

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<sup>4</sup> See e.g. N.D.C.C. 16.1-10-04.1 (“Every political advertisement... must disclose on the advertisement the name of the person, as defined in section 16.1-08.1-01, or political party paying for the advertisement.”).

<sup>5</sup> The Supreme Court has blessed laws like § 16.1-10-04 that prohibit false statements about voting processes and procedures. See *Minnesota Voters Alliance v. Mansky*, 138 S. Ct. 1876, 1889 n.4 (2018) (“We do not doubt that the State may prohibit messages intended to mislead voters about voting requirements and procedures.”).

<sup>6</sup> See *Hearing on A.B. 664 Before the Assemb. Comm. on Campaigns & Elections*, 2023-2024 Reg. Sess. (Wis. 2024) (January 9, 2024) (statement of Rep. Clinton Anderson). This bill was implemented as WIS. STAT. ANN. § 11.1303.

“[c]ompliance with this subsection does not create an exemption from any civil or criminal liability, including for violations of § 12.05.” I encourage an amendment to HB 1167 to produce a similar effect. This would avoid creating a loophole.

Second, the current language mandating that disclaimers “must prominently state” the AI disclosure could be made more precise. Adding language such as “in a manner that a reasonable person would take to be prominently stated” would strengthen the bill and provide clearer guidance to courts and juries. Without this addition, there is a small risk that disclaimers in barely visible print or at the very bottom of a screen might satisfy the letter of the law while failing to inform voters effectively.

Third, the bill should include a civil cause of action for candidates, individuals depicted in noncompliant advertisements, the state Attorney General, and local governments. This addition would enable these parties to seek injunctions prohibiting the continued airing of advertisements that violate the law. By “local governments” I mean local prosecutors, county attorneys, and city attorneys.<sup>7</sup> These actors are more in tuned with local politics than the state Attorney General, and I believe the harms of deepfakes could be exacerbated in local elections where citizens tend to be less informed about candidates. Just like a negative mailer that distorts the truth can be effective in absence of correction from the local media, so too could a deepfake swing voters in a local race. The people likely to be aware of such a mailer are the candidates in the race themselves, those depicted in the communication, and attorneys in local government. But local campaigns might not have the budget to afford an attorney for this matter, so local government can step in.

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<sup>7</sup> This follows the mold of laws enacted in Oregon and Minnesota. See OR. REV. STAT. § 260.345 (granting the attorney general and local prosecutors enforcement power); MINN. STAT. ANN. § 609.771 (granting standing to the attorney general, county attorney, city attorney, depicted individual, and “a candidate for nomination or election to a public office who is injured or likely to be injured by dissemination.”); cf <add case name> (declining to grant a preliminary injunction enjoining the enforcement of MINN. STAT. ANN. § 609.771).

Moreover, an injunction would provide a short-term remedy to stop the communication. Voters are being harmed when they see an unlabeled ad with AI-generated content. So, while the criminal penalty provided in this chapter would penalize the creator and hold them accountable, it does not remedy the harm to voters.<sup>8</sup> To stop this harm from continuing, an injunction preventing the continued airing of the ad or other political communication is necessary.

Fourth, I also recommend limiting the requirement for disclaimers to within 30–45 days of an election, whether general, primary, or special. This narrower application would better align the law with the constitutional requirement that restrictions on political speech to be “narrowly tailored” to serve a compelling state interest.<sup>9</sup> As written, this bill does not restrict speech but rather provides voters with valuable information about the origin of content. However, applying the disclaimer requirement closer to elections would reduce the likelihood of challenges based on overbreadth or undue burdens on political communication.

Fifth and finally, I want to highlight a potential drafting error on page 1, line 12 of the bill. The text appears to read, “content generated by artificial intelligence.” I believe the word “is” should be inserted between “content” and “generated”.

## **Concluding Thoughts**

By incorporating these five suggestions, HB 1167 can more effectively achieve its goal of ensuring transparency in political advertising while avoiding unintended consequences or enforcement difficulties. I urge this committee to consider these amendments as it moves forward with this important legislation.

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<sup>8</sup> See N.D.C.C. 16.1-10-08 (“Any person violating any provision of this chapter, for which another penalty is not specifically provided, is guilty of a class A misdemeanor.”).

<sup>9</sup> See *Reed v. Town of Gilbert*, 576 U.S. 155, 163 (2015).



Thursday, January 16, 2025

To that end, I will conclude with the words two of state legislators who powerfully evoked the motivations passing bills like HB 1167. One said, “I think we can all agree with the premise that voters have a right to know when video, audio, and images that they are being shown have been manipulated and do not represent reality to try to influence their vote in an upcoming election.”<sup>10</sup> The goal is for “people [to] have confidence in what they hear and have some faith that the information they're being given when they see a candidates face and voice, they can know that that is what the person really said and did.”<sup>11</sup> Passing HB 1167 will help make this possible.

Thank you for your time and consideration,

Hayden Goldberg

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<sup>10</sup> *Hearing on A.B. 730 Before the S. Elections & Constitutional Amendments Comm.*, 2019-2020 Reg. Sess. (Cal. 2019) (statement of Assemb. Marc Berman).

<sup>11</sup> *Hearing on H.B. 664 Before the H. State Affairs Comm.*, 2024 Reg. Sess. (Idaho 2024) (statement of Rep. Ilana Rubel, H. Min. Leader).

# 2025 HOUSE STANDING COMMITTEE MINUTES

## Government and Veterans Affairs Committee Pioneer Room, State Capitol

HB 1167  
1/24/2025

Relating to artificial intelligence disclosure statements.
------------------------------------------------------------

10:20 a.m. Chairman Schauer opened the meeting.

Members present: Chairman Schauer, Vice Chairman Satrom, Representatives Bahl, Brown, Christy, Grindberg, Karls, McLeod, Rohr, Schneider, Steiner, VanWinkle, Vetter, Wolff

### Discussion Topics:

- Amendments to exceptions for tools.
- Disclosure statements for AI
- Constitutional rights

10:20 a.m. Representative Warrey introduced amendments relating to AI disclosure statements, testimony #33937.

10:20 a.m. The committee discussed the bill.

10:31 a.m. Chairman Schauer closed the meeting.

*Jackson Toman, Committee Clerk*

Warrey is  
good w/ this!!

**PROPOSED AMENDMENT TO HOUSE BILL NO. 1167**

**SECTION 1.** A new section to chapter 16.1-10 of the North Dakota Century Code is created and enacted as follows:

**Use of artificial intelligence - Disclosure - Definition.**

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 impersonate, visually or audibly, a human, must prominently state the following disclaimer: "This content generated by artificial intelligence." This disclosure requirement does not apply to content that uses artificial intelligence solely for: Text generation, grammar correction, spelling checks, stylistic editing, or enhancing existing content without creating new impersonations of human likeness or voice.

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 designed solely to assist with grammar, spelling, or word suggestions without generating human likeness or voice.

# 2025 HOUSE STANDING COMMITTEE MINUTES

## Government and Veterans Affairs Committee Pioneer Room, State Capitol

HB 1167  
1/30/2025

Relating to artificial intelligence disclosure statements.
------------------------------------------------------------

9:04 a.m. Chairman Schauer opened the meeting.

Members present: Chairman Schauer, Vice Chairman Satrom, Representatives Bahl, Brown, Christy, Grindberg, Karls, McLeod, Rohr, Schneider, Steiner, VanWinkle, Vetter, Wolff

### Discussion Topics:

- Possible Amendment

9:05 a.m. Representative Christy States that he is waiting on Legislative Council for an amendment.

9:06 a.m. Chairman Schauer closed the meeting.

*Jackson Toman, Committee Clerk by Risa Berube*

# 2025 HOUSE STANDING COMMITTEE MINUTES

## Government and Veterans Affairs Committee Pioneer Room, State Capitol

HB 1167  
2/14/2025

Relating to artificial intelligence disclosure statements.
------------------------------------------------------------

9:09 a.m. Chairman Schauer opened the meeting.

Members present: Chairman Schauer, Vice Chairman Satrom, Representatives Brown, Grindberg, Karls, Rohr, Schneider, Steiner, VanWinkle, Vetter, Wolff

Members absent: Representatives Bahl, Christy, McLeod

### Discussion Topics:

- Proposed amendments relating to exceptions for tools

9:09 a.m. Representative Warrey discussed proposed amendments relating to exceptions for tools testimony #33937 from 2/3/2025.

9:20 a.m. Representative Rohr moved to amend the bill relating to exceptions for tools.

9:20 a.m. Representative Schneider seconded the motion.

9:20 a.m. Voice vote passed.

9:21 a.m. Representative Wolff moved a Do Pass as Amended.

9:21 a.m. Representative Grindberg seconded the motion.

Representatives	Vote
Representative Austen Schauer	Y
Representative Bernie Satrom	Y
Representative Landon Bahl	AB
Representative Collette Brown	AB
Representative Josh Christy	AB
Representative Karen Grindberg	Y
Representative Karen Karls	Y
Representative Carrie McLeod	AB
Representative Karen Rohr	Y
Representative Mary Schneider	Y
Representative Vicky Steiner	Y
Representative Lori VanWinkle	Y
Representative Steve Vetter	AB
Representative Christina Wolff	Y

9:23 a.m. Motion passed 9-0-5.

Representative Rohr will carry the bill.

9:24 a.m. Chairman Schauer closed the meeting.

*Jackson Toman, Committee Clerk*

Sixty-ninth  
Legislative Assembly  
of North Dakota

**PROPOSED AMENDMENTS TO**

**HOUSE BILL NO. 1167**

Introduced by

Representatives Warrey, Bahl, Christianson, Christy, Dobervich, Vollmer

Senators Meyer, Weber, Sickler

2-14-25

Ag 1 of 2

- 1 A BILL for an Act to create and enact a new section to chapter 16.1-10 of the North Dakota  
2 Century Code, relating to artificial intelligence disclosure statements.

3 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

- 4 **SECTION 1.** A new section to chapter 16.1-10 of the North Dakota Century Code is created  
5 and enacted as follows:

6 **Use of artificial intelligence - Disclosure - Exception - Definition.**

- 7 1. Any action taken for a political purpose, including communication and political  
8 advertising in support of or opposition to a candidate, political committee, or a political  
9 party, or for the purpose of promoting passage or defeat of initiated or referred  
10 measures or petitions, containing images, graphics, videos, audio, text, or other digital  
11 content created in whole or in part with the use of artificial intelligence to visually or  
12 audibly impersonate a human, ~~must~~ prominently ~~must~~ state the following disclaimer:  
13 "This content generated by artificial intelligence."  
14 2. This section does not apply to content solely using artificial intelligence for text  
15 generation, grammar correction, spelling checks, stylistic editing, or enhancing existing  
16 content without creating a new impersonation of human likeness or voice.  
17 3. For purposes of this section, "artificial intelligence" means a machine-based system  
18 capable of creating images, graphics, videos, audio, text, and other digital content  
19 based on human defined objectives or data patterns. The term does not include  
20 systems that are explicitly programmed with rules or tools solely designed to assist

- 1 | with grammar, spelling, or word suggestions without generating human likeness or
- 2 | voice.

**REPORT OF STANDING COMMITTEE  
HB 1167**

**Government and Veterans Affairs Committee (Rep. Schauer, Chairman)** recommends **AMENDMENTS** ([25.0529.02001](#)) and when so amended, recommends **DO PASS** (9 YEAS, 0 NAYS, 5 ABSENT OR EXCUSED AND NOT VOTING). HB 1167 was placed on the Sixth order on the calendar.



**2025 SENATE STATE AND LOCAL GOVERNMENT**

**HB 1167**

# 2025 SENATE STANDING COMMITTEE MINUTES

## State and Local Government Committee Room JW216, State Capitol

HB 1167  
3/13/2025

Relating to artificial intelligence disclosure statements.
------------------------------------------------------------

9:45 a.m. Chair Roers called the hearing to order.

Members Present: Chairman Roers; Vice Chair Castaneda; Senators: Barta, Braunberger, Lee and Walen.

### **Discussion Topics:**

- Machine based system
- Action for political purpose
- Inform the public of content
- Computer program used
- Responsible for posting

9:45 a.m. Representative Warrey, District #22, introduced the bill.

9:48 a.m. Erika White, State Election Director Secretary of State, testified in favor and submitted testimony #41229.

9:57 a.m. Andrew Alexis Varvel, Bismarck citizen, testified in favor and submitted testimony #41155.

10:00 a.m. Rose Feliciano, Executive Director, TechNet, testified in favor and submitted testimony #40930.

10:03 a.m. Vice Chairman Castaneda closed the hearing.

*Susan Helbling, Committee Clerk*



**TECHNET**  
THE VOICE OF THE  
INNOVATION ECONOMY

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www.technet.org | @TechNet\_NW

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](mailto:rfeliciano@technet.org) or 206-326-0712. I appreciate your consideration.

Sincerely,



Rose Feliciano  
Executive Director  
Washington + Northwest

cc: The Honorable Jonathan Warrey

# Senate State & Local Committee

## House Bill 1167

Andrew Alexis Varvel

9:45AM March 13, 2025

State Capitol Judicial Wing

Room 216

Madame Chairman Roers & Members *of the*  
Senate State & Local Government Committee:

My name is Andrew Alexis Varvel.

I live in Bismarck, District 47.

I like House Bill 1167.

This “*truth in advertising*” bill would require any impersonation of a human being by artificial intelligence to be labeled as following:

**“This content generated by artificial intelligence.”**

I also like the fact that deceptively using artificial intelligence for the purpose of impersonation would carry a criminal penalty.

Please provide a **DO PASS** recommendation to House Bill 1167.

Thank you.

I welcome questions from the committee.



**HOUSE BILL NO. 1167**  
**MARCH 13, 2025**

**SENATE STATE AND LOCAL GOVERNMENT COMMITTEE**  
**SENATOR KRISTEN ROERS, CHAIR**

**TESTIMONY PRESENTED BY**  
**ERIKA WHITE, STATE ELECTION DIRECTOR**

Chairman Roers and members of the committee, I'm Erika White and I serve as state election director for Secretary of State Michael Howe. I am here in support of HB1167 which seeks to create disclosures statements for communications or advertising related to a political purpose that have been generated with artificial intelligence or AI.

AI is growing in its usage, especially in the world of design, graphics and media, and has many practical applications in creating efficiencies in the flow of work for many organizations. This bill has a simple purpose which is to add a new section to NDCC 16.1-10, which is to require communications for any political purpose to disclose if they have used AI in the generation of images, graphics, video, audio, text or other digital content in whole or in-part. This section would require a disclosure informing the public that "This content generated by artificial intelligence," similar to other disclosures like "Paid for" statements you currently see in advertising used in political campaigns.

The language proposed in the first engrossment of this bill is supported by our office, and was developed in collaboration with the sponsor and Tech ND to ensure it is a narrow application of this requirement to ensure exclusion of things such as grammar correction or spelling tools, and other areas where AI is integrated into edit tools, etc.

We believe this disclosure is important to give citizens awareness of content for political purpose that has been created with AI, so they can better discern when content may or may not have been altered through the means of artificial intelligence to promote a position or candidate.

I ask for your support of HB1167.

# 2025 SENATE STANDING COMMITTEE MINUTES

## State and Local Government Committee Room JW216, State Capitol

HB 1167  
3/13/2025

Relating to artificial intelligence disclosure statements.
------------------------------------------------------------

11:02 a.m. Chair Roers called the hearing to order.

Members Present: Chairman Roers; Vice Chair Castaneda; Senators: Barta, Braunberger, Lee and Walen.

### Discussion Topics:

- Committee Action

11:02 a.m. Senator Walen moved to adopt Amendment LC #25.0529.03001.

11:02 a.m. Senator Castaneda seconded the motion.

Senators	Vote
Senator Kristin Roers	Y
Senator Jose L. Castaneda	Y
Senator Jeff Barta	Y
Senator Ryan Braunberger	Y
Senator Judy Lee	Y
Senator Chuck Walen	Y

Motion Passed 6-0-0

11:04 a.m. Senator Castaneda moved Do Pass as amended.

11:04 a.m. Senator Walen seconded the motion.

Senators	Vote
Senator Kristin Roers	Y
Senator Jose L. Castaneda	Y
Senator Jeff Barta	Y
Senator Ryan Braunberger	Y
Senator Judy Lee	Y
Senator Chuck Walen	Y

Motion Passed 6-0-0

Senator Castaneda will carry the bill

10:15 a.m. Chair Roers closed the hearing.

*Susan Helbling, Committee Clerk*

CO  
3/13/25  
1042

Sixty-ninth  
Legislative Assembly  
of North Dakota

**PROPOSED AMENDMENTS TO  
FIRST ENGROSSMENT**

**ENGROSSED HOUSE BILL NO. 1167**

Introduced by

Representatives Warrey, Bahl, Christianson, Christy, Dobervich, Vollmer

Senators Meyer, Weber, Sickler

- 1 A BILL for an Act to create and enact a new section to chapter 16.1-10 of the North Dakota  
2 Century Code, relating to artificial intelligence disclosure statements.

3 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

- 4 **SECTION 1.** A new section to chapter 16.1-10 of the North Dakota Century Code is created  
5 and enacted as follows:

6 **Use of artificial intelligence - Disclosure - Exception - Definition.**

- 7 1. Any action taken for a political purpose, including communication and political  
8 advertising in support of or opposition to a candidate, political committee, or a political  
9 party, or for the purpose of promoting passage or defeat of initiated or referred  
10 measures or petitions, containing images, graphics, videos, audio, text, or other digital  
11 content created in whole or in part with the use of artificial intelligence to visually or  
12 audibly impersonate a human, prominently must state the following disclaimer: "~~This~~  
13 ~~content generated by artificial intelligence~~THIS CONTENT GENERATED BY  
14 ARTIFICIAL INTELLIGENCE."
- 15 2. This section does not apply to content solely using artificial intelligence for text  
16 generation, grammar correction, spelling checks, stylistic editing, or enhancing existing  
17 content without creating a new impersonation of human likeness or voice.
- 18 3. For purposes of this section, "artificial intelligence" means a machine-based system  
19 capable of creating images, graphics, videos, audio, text, and other digital content  
20 based on human defined objectives or data patterns. The term does not include



Sixty-ninth  
Legislative Assembly

- 1 systems that are explicitly programmed with rules or tools solely designed to assist
- 2 with grammar, spelling, or word suggestions without generating human likeness or
- 3 voice.

**REPORT OF STANDING COMMITTEE  
ENGROSSED HB 1167**

**State and Local Government Committee (Sen. Roers, Chairman)** recommends **AMENDMENTS (25.0529.03001)** and when so amended, recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT OR EXCUSED AND NOT VOTING). HB 1167 was placed on the Sixth order on the calendar. This bill does not affect workforce development.