

**2025 HOUSE JUDICIARY**

**HB 1320**

# 2025 HOUSE STANDING COMMITTEE MINUTES

**Judiciary Committee**  
Room JW327B, State Capitol

HB 1320  
1/20/2025

A BILL for an Act to create and enact a new section to chapter 12.1-31 of the North Dakota Century Code, relating to prohibiting deepfake videos and images; and to provide a penalty.

11:07 a.m. Chairman Klemin opened the hearing.

Members Present: Chairman Klemin, Vice-Chairman Karls, Vice-Chairman Vetter, Representatives Christianson, Hoverson, Johnston, McLeod, S. Olson, Satrom, Tveit, VanWinkle, Wolff, Schneider

Members Absent: Representative Henderson

**Discussion Topics:**

- Intent to deceive
- Application to political satire

11:07 a.m. Representative Josh Christy, North Dakota Representative for District 27, introduced the bill.

11:16 a.m. Terry Effertz, TechND, testified in opposition.

11:19 a.m. Todd Ewell, Deputy Director for the North Dakota Commission on Legal Council for Indigents, testified neutrally and provided testimony #30260.

**Additional written testimony:**

Nicolas Cullen, Bismarck, North Dakota, submitted testimony in favor #29905

Andrew Varvel, Bismarck, North Dakota, submitted testimony in favor #30075

Jacob Thomsen, Policy Analyst for North Dakota Family Alliance Legislative Action, submitted testimony in favor #30088

11:22 a.m. Chairman Klemin closed the hearing.

*Wyatt Armstrong, Committee Clerk*

HB 1320  
In Support Of

House Judiciary Committee,

I am writing to you in support of HB 1320. Deepfake videos and images have the potential to ruin someone's reputation and could have major implications for their professional and personal life. While I do support this bill, I believe it should be amended to have a harsher penalty for the person who produced the video or image. Therefore, I request a DO PASS. Thank you for your consideration.

Nicolas Cullen

# House Judiciary Committee

## House Bill 1320

Andrew Alexis Varvel

Written Testimony

Chairman Klemin and Members of the Committee:

My name is Andrew Alexis Varvel.

I live in Bismarck, District 47.

The important word here is “*consent*” – if there is a deep fake of which the person depicted has consented, that is different from using a person's likeness without his or her consent.

Just as speech can be used for slander and writing can be used for libel, artificial intelligence can be used to create other forms of defamation.

So, please give this bill a **DO PASS** recommendation.

Thank you.



### Testimony in Support of House Bill 1320

Jacob Thomsen, Policy Analyst  
North Dakota Family Alliance Legislative Action  
January 20, 2025

Chairman Klemin and honorable members of the House Judiciary Committee,

North Dakota Family Alliance Legislative Action would like to testify in support of House Bill 1320 and respectfully request that you render a "DO PASS" on this bill.

Our organization believes that human beings are created with inherent dignity and worth. Artificially manufactured sexually explicit images and videos violate a person's dignity and can significantly damage a person's self-worth and image among their peers. These images and videos are particularly damaging because the victim who this content is created of has no consent over the content's creation and distribution.

We support this bill because it seeks to protect the dignity and worth of people and protects against nonconsensual creation and distribution of artificially created sexually explicit images and videos.

For these reasons, North Dakota Family Alliance Legislative Action respectfully requests that you please vote House Bill 1320 out of committee with a "DO PASS" recommendation.

Thank you for the opportunity to provide this testimony, and feel free to contact us if you have any questions.

Sincerely,


Jacob Thomsen  
Policy Analyst  
North Dakota Family Alliance Legislative Action

HB 1320  
House Judiciary  
January 20, 2025  
Testimony of Todd N. Ewell, Deputy Director, NDCLCI

Good Morning. Chairman Klemin, members of the Committee, my name is Todd Ewell and I am the Deputy Director of the North Dakota Commission on Legal Counsel for Indigents (hereinafter "the Commission").

Today I offer neutral testimony regarding House Bill 1320 on behalf of the Commission. Everyone can understand that deepfake videos and images can be harmful. However, as written, this bill would have a major impact on free speech. Please consider the following scenario. A video of Tom Cruise goes viral. In the video, Cruise is seen flying off a home into a pool and screaming "I do my own stunts". In reality, the video is not Tom Cruise but is artificially created. It becomes memes and videos of Tom Cruise jumping off cliffs, out of airplanes, the Eiffel Tower, you get the idea. These videos are everywhere: Facebook, Instagram, X, and every other social platform. This legislation would make it a class A misdemeanor to possess every image. By creating a misdemeanor, if the court were considering a penalty of jail time, we could see an unmanageable increase of cases for our agency.

Respectfully submitted:

A handwritten signature in black ink, appearing to read "Todd Ewell", is written over a horizontal line.

Todd N. Ewell, Deputy Director

N.D. Comm. on Legal Counsel for Indigents

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**Judiciary Committee**  
Room JW327B, State Capitol

HB 1320  
1/20/2025

A BILL for an Act to create and enact a new section to chapter 12.1-31 of the North Dakota Century Code, relating to prohibiting deepfake videos and images; and to provide a penalty.

2:59 p.m. Chairman Klemin opened the hearing.

Members Present: Chairman Klemin, Vice-Chairman Karls, Representatives Christianson, Hoverson, McLeod, S. Olson, Tveit, VanWinkle, Wolff, Schneider

Members Absent: Vice-Chairman Vetter, Representatives Henderson, Johnston, Satrom

## **Discussion Topics:**

- Committee action

3:01 p.m. Representative S. Olson moved a Do Not Pass.

3:01 p.m. Representative Christianson seconded the motion.

<b>Representatives</b>	<b>Vote</b>
Representative Lawrence R. Klemin	Y
Representative Karen Karls	Y
Representative Steve Vetter	A
Representative Nels Christianson	Y
Representative Donna Henderson	A
Representative Jeff Hoverson	Y
Representative Daniel Johnston	A
Representative Carrie McLeod	Y
Representative SuAnn Olson	Y
Representative Bernie Satrom	A
Representative Mary Schneider	Y
Representative Bill Tveit	Y
Representative Lori VanWinkle	Y
Representative Christina Wolff	Y

3:03 p.m. Motion passed 10-0-4

3:03 p.m. Representative Wolff will carry the bill.

3:08 p.m. Chairman Klemin closed the hearing.

*Wyatt Armstrong, Committee Clerk*

**REPORT OF STANDING COMMITTEE**  
**HB 1320 ([25.0912.01000](#))**

**Judiciary Committee (Rep. Klemin, Chairman)** recommends **DO NOT PASS** (10 YEAS, 0 NAYS, 4 ABSENT AND NOT VOTING). HB 1320 was placed on the Eleventh order on the calendar.