

Stricken language would be deleted from and underlined language would be added to present law.

State of Arkansas
95th General Assembly
Regular Session, 2025

As Engrossed: H2/12/25

A Bill

HOUSE BILL 1141

By: Representative R. Scott Richardson

By: Senator J. Bryant

For An Act To Be Entitled

AN ACT TO CREATE CRIMINAL OFFENSES RELATED TO
DECEPTIVE AND INJURIOUS MEDIA IN THE COURSE OF
ELECTION CAMPAIGNS; AND FOR OTHER PURPOSES.

Subtitle

TO CREATE CRIMINAL OFFENSES RELATED TO
DECEPTIVE AND INJURIOUS MEDIA IN THE
COURSE OF ELECTION CAMPAIGNS.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

SECTION 1. Arkansas Code § 7-1-103(a), concerning misdemeanors under the laws governing elections in the State of Arkansas, is amended to add an additional subdivision to read as follows:

(25)(A)(i) As used in this subdivision (a)(25), "deep fake" means a medium of communication that is deliberately manipulated using artificial intelligence technology to appear to depict a real person performing an action that did not occur for the purpose of attempting to deceive the viewer into believing the action did occur and for which no reasonable observer could believe there was an intent other than to injure the candidate.

(ii) As used in this subdivision (a)(25), "deep fake" does not include:

(a) A cartoon, caricature, or any other communication that a reasonable viewer would understand to be a satirical representation of the individual;

(b) A communication altered only to change the saturation, brightness, contrast, color, or any other superficial quality of



the image; or

(c) Any communication that is otherwise lawful under the Arkansas Constitution, Article 2, § 6 or under the First Amendment to the United States Constitution.

(B) It shall be unlawful for a person to purposely injure a candidate for office in Arkansas by:

(i) Creating or causing to be created a deep fake;
and

(ii) Publishing, distributing, or causing to be published or distributed the deep fake during the period beginning ninety (90) days before the date of the general election and ending on the date of the general election with the knowledge that the published or distributed communication was a deep fake.

(C) It is an affirmative defense to prosecution for an offense under this subdivision (a)(25) that the deep fake of the candidate included a clear label on the image stating that the communication was a deep fake.

/s/R. Scott Richardson