

SB2996



104TH GENERAL ASSEMBLY

State of Illinois

2025 and 2026

SB2996

Introduced 1/27/2026, by Sen. Mary Edly-Allen

SYNOPSIS AS INTRODUCED:

10 ILCS 5/9-9.6 new

Amends the Election Code. Provides that, if a person, committee, or other entity creates, originally publishes, or originally distributes a qualified political advertisement, the qualified political advertisement shall include, in a clear and conspicuous manner, a statement that the qualified political advertisement was generated in whole or substantially by artificial intelligence. Provides for exemptions from the requirement and for civil penalties, injunctive relief, attorney's fees, and costs for violations.

LRB104 20019 SPS 33470 b

A BILL FOR

1 AN ACT concerning elections.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Election Code is amended by adding Section
5 9-9.6 as follows:

6 (10 ILCS 5/9-9.6 new)

7 Sec. 9-9.6. Disclosure of political communications
8 generated by artificial intelligence.

9 (a) As used in this Section:

10 "Artificial intelligence" means a machine-based system
11 that can, for a given set of human-defined objectives, make
12 predictions, recommendations, or decisions influencing real or
13 virtual environments and that uses machine and human-based
14 inputs to do all of the following:

15 (1) perceive real and virtual environments;

16 (2) abstract such perceptions into models through
17 analysis in an automated manner; and

18 (3) use model inference to formulate options for
19 information or action.

20 "Distribution platform" includes, but is not limited to, a
21 website or a regularly published newspaper, magazine, or other
22 periodical of general circulation, including an Internet
23 publication or electronic publication, that routinely carries

1 news and commentary of general interest.

2 "Qualified political advertisement" means any paid
3 advertisement, including, but not limited to, search engine
4 marketing, display advertisements, video advertisements,
5 native advertisements, issue advertisements, messaging service
6 advertisements, mobile application advertisements, and
7 sponsorships, relating to a candidate for federal, State, or
8 local office in this State, any election to federal, State, or
9 local office in this State, or a ballot question that contains
10 any image, audio, or video that is generated in whole or
11 substantially with the use of artificial intelligence.

12 (b) If a person, committee, or other entity creates,
13 originally publishes, or originally distributes a qualified
14 political advertisement, the qualified political advertisement
15 shall include, in a clear and conspicuous manner, a statement
16 that the qualified political advertisement was generated in
17 whole or substantially by artificial intelligence as follows:

18 (1) if the qualified political advertisement is a
19 graphic communication, the statement shall appear in
20 letters at least as large as the majority of the text in
21 the graphic communication and be in the same language as
22 the language used in the graphic communication;

23 (2) if the qualified political advertisement is an
24 audio communication, the statement shall be spoken in a
25 clearly audible and intelligible manner at the beginning
26 or end of the communication, last at least 3 seconds, and

1 be in the same language as the language used in the audio
2 communication; and

3 (3) if the qualified political advertisement is a
4 video communication that also includes audio, that
5 statement shall:

6 (A) appear for at least 4 seconds in letters at
7 least as large as the majority of any text
8 communication, or if there is no other text
9 communication, in a size that is easily readable by
10 the average viewer;

11 (B) be spoken in a clearly audible and
12 intelligible manner at the beginning or end of the
13 communication and last at least 3 seconds; and

14 (C) be in the same language as the language used in
15 the video communication.

16 (c) A person who violates subsection (b) is subject to the
17 following:

18 (1) for a first violation, the Board may impose on the
19 person a civil penalty of not more than \$250; and

20 (2) for a second or subsequent violation, the Board
21 may impose on the person a civil penalty of not more than
22 \$1,000 for each violation.

23 Each qualified political advertisement that is distributed
24 or aired to the public that violates this Section is a separate
25 violation.

26 (d) This Section does not apply to any of the following:

1 (1) a radio or television broadcasting station,
2 including a cable or satellite television operator,
3 programmer, or producer that broadcasts a qualified
4 political advertisement or a communication generated in
5 whole or substantially by artificial intelligence as part
6 of a bona fide newscast, news interview, news documentary,
7 or on-the-spot coverage of bona fide news events, if the
8 broadcast clearly acknowledges through content or a
9 disclosure, in a manner that can be easily heard or read by
10 the average listener or viewer, that the qualified
11 political advertisement or communication generated in
12 whole or substantially by artificial intelligence does not
13 accurately represent the speech or conduct of the depicted
14 individual;

15 (2) a radio or television broadcasting station,
16 including a cable or satellite television operator,
17 programmer, or producer, when the station is paid to
18 broadcast qualified political advertisements;

19 (3) a distribution platform that publishes qualified
20 political advertisements prohibited under this Section, if
21 the distribution platform has a clearly stated written
22 policy, provided to any person, committee, or other entity
23 that creates, seeks to publish, or originally distributes
24 a qualified political advertisement, that the qualified
25 political advertisement shall include a statement
26 consistent with subsection (b);

1 (4) a qualified political advertisement that
2 constitutes satire or parody; and

3 (5) a business or its affiliate if the business or its
4 affiliate is regulated by the Federal Communications
5 Commission.

6 (e) A distribution platform is not liable under this
7 Section if the distribution platform can show that it provided
8 notice to the distributor of a qualified political
9 advertisement of the distribution platform's prohibitions
10 concerning the failure to disclose content created in whole or
11 substantially by artificial intelligence in a qualified
12 political advertisement or prerecorded telephone message.

13 (f) If a person, committee, or other entity violates
14 subsection (b) by creating, publishing, or disclosing a
15 qualified political advertisement that features another
16 candidate and that does not include the statement required
17 under subsection (b), then the featured candidate may petition
18 the circuit court for injunctive relief to prohibit
19 publication or disclosure of the qualified political
20 advertisement. A featured candidate that prevails in circuit
21 court under this subsection (f) may recover reasonable
22 attorney's fees and costs.