

LFC Requester:	Emily Hilla
-----------------------	--------------------

**AGENCY BILL ANALYSIS
2024 REGULAR SESSION**

WITHIN 24 HOURS OF BILL POSTING, UPLOAD ANALYSIS TO:

AgencyAnalysis.nmlegis.gov

{Analysis must be uploaded as a PDF}

SECTION I: GENERAL INFORMATION

{Indicate if analysis is on an original bill, amendment, substitute or a correction of a previous bill}

Check all that apply:

Original **Amendment**
Correction **Substitute**

Date 1/23/2024

Bill No: HB182

Sponsor: Gail Chasey, Charlotte Little,
Katy Duhigg
Short Title: N/A

Agency Name and Code 361-OBAE
Number: _____
Person Writing Vanessa Willock
Phone: 505-629-6004 **Email** Vanessa.Willock@connect.nm.go

SECTION II: FISCAL IMPACT

APPROPRIATION (dollars in thousands)

Appropriation		Recurring or Nonrecurring	Fund Affected
FY24	FY25		
0	0	N/A	N/A

(Parenthesis () Indicate Expenditure Decreases)

REVENUE (dollars in thousands)

Estimated Revenue			Recurring or Nonrecurring	Fund Affected
FY24	FY25	FY26		
0	0	0	N/A	N/A

(Parenthesis () Indicate Expenditure Decreases)

ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT (dollars in thousands)

	FY24	FY25	FY26	3 Year Total Cost	Recurring or Nonrecurring	Fund Affected
Total	0	0	0	0	N/A	N/A

(Parenthesis () Indicate Expenditure Decreases)

Duplicates/Conflicts with/Companion to/Relates to:
Duplicates/Relates to Appropriation in the General Appropriation Act

SECTION III: NARRATIVE

BILL SUMMARY

Synopsis:

- 1) HB 182 amends the Campaign Reporting Act to add a definition of “artificial intelligence”, “depicted individual”, and “distribution platform”.
- 2) HB 182 amends the Campaign Reporting Act to add the definition of of “materially deceptive media” and clarifying subsections.
- 3) Re-letters the definitional section of the Act to encompass the added definitions.
- 4) Amends Section 2 of the Act to add to the Disclaimers in Advertisements title the subtitle of “Use of Artificial Intelligence –Violation—Penalty.” Adds Sections D and E and their relevant subsections requiring advertising disclaimers if a person creates, produces or purchases an advertisement generated in whole or in part by using artificial intelligence and provides requirements for the contents and form of such disclosures and imposes violations and civil penalties if the requirements are not followed.
- 5) Amends Section 2 of the Act and adds Section F which provides for exceptions to the disclaimer requirements.
- 6) Amends Section 2 of the Act and adds Section G which shields distribution platforms from liability under the Act if the platform shows that it provided to the person who created, produced or purchased the advertisement the platform’s disclaimer requirements for content.
- 7) Creates a new section of the Act, Section 3, to prohibit the use of materially deceptive media; to require disclaimers; to provide for a criminal penalty for a violation; and provides for exceptions and enforcement mechanisms.
- 8) Provides for an emergency clause.

FISCAL IMPLICATIONS

Note: major assumptions underlying fiscal impact should be documented.

Note: if additional operating budget impact is estimated, assumptions and calculations should be reported in this section.

SIGNIFICANT ISSUES

None for OBAE

PERFORMANCE IMPLICATIONS

None for OBAE

ADMINISTRATIVE IMPLICATIONS

None for OBAE

CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP

N/A

TECHNICAL ISSUES

None

OTHER SUBSTANTIVE ISSUES

None

ALTERNATIVES

N/A

WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL

Status Quo

AMENDMENTS

None