

ASSEMBLY BILL NO. 73—COMMITTEE ON  
LEGISLATIVE OPERATIONS AND ELECTIONS

(ON BEHALF OF THE SECRETARY OF STATE)

PREFILED NOVEMBER 20, 2024

Referred to Committee on Legislative Operations and Elections

SUMMARY—Establishes requirements for certain communications relating to an election. (BDR 24-487)

FISCAL NOTE: Effect on Local Government: No.  
Effect on the State: Yes.

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EXPLANATION – Matter in *bolded italics* is new; matter between brackets [omitted material] is material to be omitted.

AN ACT relating to campaign practices; requiring certain communications relating to an election that include synthetic media to contain a disclosure; requiring a copy of certain communications relating to an election to be filed with the Secretary of State; providing penalties; and providing other matters properly relating thereto.

**Legislative Counsel’s Digest:**

Existing law requires that certain statements and communications relating to an election contain disclosures to provide the public with certain information relating to the source or purpose of the statement or communication. (NRS 294A.347-294A.3495) **Section 2** of this bill requires that any communication made in support of or opposition to a candidate, group of candidates or political party or that solicits contributions for a candidate, group of candidates or political party that includes any form of synthetic media in the communication must disclose that the image, video or audio has been manipulated. **Section 5** of this bill provides that a violation of this requirement is subject to a civil penalty of not more than \$50,000 for each violation.

**Section 3** of this bill requires any person, committee for political action, political party or committee sponsored by a political party that is required to disclose information in a communication relating to an election under existing law to submit a copy of the communication electronically to the Secretary of State. **Section 3** also requires the Secretary of State to make such communications available to the public. **Section 4** of this bill exempts from this requirement certain communications appearing on clothing or items that retail for less than \$5. **Section 5** provides that a violation of this requirement is subject to a civil penalty of not more than \$10,000.



THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN  
SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

1 **Section 1.** Chapter 294A of NRS is hereby amended by  
2 adding thereto the provisions set forth as sections 2 and 3 of this act.

3 **Sec. 2. 1.** *Any communication made in support of or*  
4 *opposition to a candidate, group of candidates or political party or*  
5 *that solicits contributions for a candidate, group of candidates*  
6 *or political party and includes any form of synthetic media in the*  
7 *communication must disclose on the communication in a clear*  
8 *and conspicuous manner:*

9  
10 *This (image/video/audio) has been manipulated.*

11  
12 **2.** *The disclosure required pursuant to subsection 1 must be*  
13 *provided in accordance with the following requirements:*

14 **(a)** *For a communication made using visual media:*

15 **(1)** *The text of the disclosure must appear in a size that is*  
16 *easily readable by the average viewer and if the visual media*  
17 *includes other text, the text of the disclosure must not be smaller*  
18 *than the largest font size of the other text appearing in the visual*  
19 *media; and*

20 **(2)** *If the visual media is a video, the disclosure must*  
21 *appear for the entire duration of the video; and*

22 **(b)** *For a communication made using only audio, the*  
23 *disclosure must be read in a clearly spoken manner, in a pitch that*  
24 *can be easily heard by the average listener and in the same*  
25 *language as the rest of the audio:*

26 **(1)** *At the beginning of the audio;*

27 **(2)** *At the end of the audio; and*

28 **(3)** *If the audio is longer than 2 minutes in length,*  
29 *interspersed within the audio at intervals of not more than 2*  
30 *minutes each.*

31 **3.** *As used in this section:*

32 **(a)** *“Artificial intelligence” means a machine-based system*  
33 *that can, for a given set of human-defined objectives, make*  
34 *predictions, recommendations or decisions influencing real or*  
35 *virtual environments.*

36 **(b)** *“Generative adversarial network” means a framework for*  
37 *machine learning that uses adversarial training towards the*  
38 *development of generative artificial intelligence.*

39 **(c)** *“Generative artificial intelligence” means a technology of*  
40 *artificial intelligence that is capable of creating content such as*  
41 *text, audio, image or video based on patterns learned from large*



1 *volumes of data rather than being explicitly programmed with*  
2 *rules.*

3 *(d) "Synthetic media" means an image, audio recording or*  
4 *video recording of the appearance, speech or conduct of a person*  
5 *that has been intentionally manipulated with the use of generative*  
6 *adversarial network techniques, artificial intelligence, generative*  
7 *artificial intelligence or any other digital technology to create a*  
8 *realistic but false image, audio recording or video recording that*  
9 *produces:*

10 *(1) A depiction that to a reasonable natural person is of a*  
11 *real natural person in appearance, action or speech but that did*  
12 *not actually occur in reality; and*

13 *(2) A fundamentally different understanding or impression*  
14 *of the appearance, action or speech of a person than what a*  
15 *reasonable natural person would have from viewing or listening to*  
16 *the unaltered original version of the image, audio recording or*  
17 *video recording.*

18 **Sec. 3.** *1. Except as otherwise provided in NRS 294A.349,*  
19 *any person, committee for political action, political party or*  
20 *committee sponsored by a political party that is required to*  
21 *disclose information in a communication pursuant to NRS*  
22 *294A.348, 294A.3495 or section 2 of this act must submit a copy of*  
23 *the communication electronically to the Secretary of State.*

24 *2. The Secretary of State shall make available to the public*  
25 *all communications submitted pursuant to subsection 1 on an*  
26 *Internet website of the Secretary of State.*

27 *3. The Secretary of State shall adopt regulations to carry out*  
28 *the provisions of this section.*

29 **Sec. 4.** *NRS 294A.349 is hereby amended to read as follows:*  
30 *294A.349 The provisions of NRS 294A.347 and section 3 of*  
31 *this act and subsections 1 and 2 of NRS 294A.348 do not apply to*  
32 *any statement or communication appearing on:*

33 *1. Any cap, hat, shirt or other article of clothing, regardless of*  
34 *its cost; or*

35 *2. Except as otherwise provided in this subsection, any item*  
36 *having a retail cost per item of less than \$5, including, without*  
37 *limitation, any button, pen, pencil, ruler, magnet, key tag, emery*  
38 *board, comb, letter opener, can holder, bottle opener, jar opener,*  
39 *balloon or piece of candy. The exclusion otherwise provided by this*  
40 *subsection does not apply to any door hanger, bumper sticker, yard*  
41 *sign or advertising through a television or radio broadcast,*  
42 *newspaper, magazine, outdoor advertising facility or mailing.*

43 **Sec. 5.** *NRS 294A.420 is hereby amended to read as follows:*  
44 *294A.420 1. If the Secretary of State receives information*  
45 *that a candidate, person, organization, committee, political party or*



1 nonprofit corporation that is subject to the provisions of NRS  
2 294A.120, 294A.128, 294A.140, 294A.150, 294A.200, 294A.210,  
3 294A.220, 294A.230, 294A.250, 294A.270, 294A.280 or 294A.286  
4 has not filed a report or form for registration pursuant to the  
5 applicable provisions of those sections, the Secretary of State may,  
6 after giving notice to that candidate, person, organization,  
7 committee, political party or nonprofit corporation, cause the  
8 appropriate proceedings to be instituted in the First Judicial District  
9 Court.

10 2. Except as otherwise provided in this section, a candidate,  
11 person, organization, committee, political party or nonprofit  
12 corporation that violates an applicable provision of this chapter is  
13 subject to a civil penalty of not more than \$10,000 for each violation  
14 and payment of court costs and attorney's fees. The civil penalty  
15 must be recovered in a civil action brought in the name of the State  
16 of Nevada by the Secretary of State in the First Judicial District  
17 Court and deposited by the Secretary of State for credit to the State  
18 General Fund in the bank designated by the State Treasurer.

19 3. *If a civil penalty is imposed for a violation of the*  
20 *requirements of section 2 of this act, the amount of the civil*  
21 *penalty imposed may not exceed \$50,000 for each violation.*

22 4. If a civil penalty is imposed because a candidate, person,  
23 organization, committee, political party or nonprofit corporation has  
24 reported its contributions, campaign expenses, independent  
25 expenditures or other expenditures after the date the report is due,  
26 except as otherwise provided in this subsection, the amount of the  
27 civil penalty is:

28 (a) If the report is not more than 7 days late, \$25 for each day  
29 the report is late.

30 (b) If the report is more than 7 days late but not more than 15  
31 days late, \$50 for each day the report is late.

32 (c) If the report is more than 15 days late, \$100 for each day the  
33 report is late.

34 ➤ A civil penalty imposed pursuant to this subsection against a  
35 public officer who by law is not entitled to receive compensation for  
36 his or her office or a candidate for such an office must not exceed a  
37 total of \$100 if the public officer or candidate received no  
38 contributions and made no expenditures during the relevant  
39 reporting periods.

40 ~~[4.]~~ 5. For good cause shown, the Secretary of State may  
41 waive a civil penalty that would otherwise be imposed pursuant to  
42 this section.

43 ~~[5.]~~ 6. When considering whether to waive, pursuant to  
44 subsection ~~[4.]~~ 5, a civil penalty that would otherwise be imposed



1 pursuant to subsection ~~3.1~~ 4, the Secretary of State may consider,  
2 without limitation:

3 (a) The seriousness of the violation, including, without  
4 limitation, the nature, circumstances and extent of the violation;

5 (b) Any history of violations committed by the candidate,  
6 person, organization, committee, political party or nonprofit  
7 corporation against whom the civil penalty would otherwise be  
8 imposed;

9 (c) Any mitigating factor, including, without limitation, whether  
10 the candidate, person, organization, committee, political party or  
11 nonprofit corporation against whom the civil penalty would  
12 otherwise be imposed reported the violation, corrected the violation  
13 in a timely manner, attempted to correct the violation or cooperated  
14 with the Secretary of State in resolving the situation that led to the  
15 violation;

16 (d) Whether the violation was inadvertent;

17 (e) Any knowledge or experience the candidate, person,  
18 organization, committee, political party or nonprofit corporation has  
19 with the provisions of this chapter; and

20 (f) Any other factor that the Secretary of State deems to be  
21 relevant.

22 ~~6.1~~ 7. If the Secretary of State waives a civil penalty pursuant  
23 to subsection ~~4.1~~ 5, the Secretary of State shall:

24 (a) Create a record which sets forth that the civil penalty has  
25 been waived and describes the circumstances that constitute the  
26 good cause shown; and

27 (b) Ensure that the record created pursuant to paragraph (a) is  
28 available for review by the general public.

29 ~~7.1~~ 8. The remedies and penalties provided by this chapter are  
30 cumulative, do not abrogate and are in addition to any other  
31 remedies and penalties that may exist at law or in equity, including,  
32 without limitation, any criminal penalty that may be imposed  
33 pursuant to this chapter or NRS 199.120, 199.145 or 239.330.

34 **Sec. 6.** 1. This section becomes effective upon passage and  
35 approval.

36 2. Sections 1 to 5, inclusive, of this act become effective:

37 (a) Upon passage and approval for the purpose of adopting any  
38 regulations and performing any other preparatory administrative  
39 tasks that are necessary to carry out the provisions of this act; and

40 (b) On January 1, 2026, for all other purposes.







