

2026 Regular Session

HOUSE BILL NO. 459

BY REPRESENTATIVES MANDIE LANDRY AND DOMANGUE

ELECTIONS/CANDIDATES: Provides relative to the use of artificial intelligence in political campaigns

1 AN ACT

2 To amend and reenact R.S. 18:1463(A), (F), and (G) and to enact R.S. 18:1463(H), relative
3 to required disclosures in political materials and communications; to provide for
4 disclosures related to the use of artificial intelligence to create the image or likeness
5 of a candidate; to provide for criminal penalties; to provide for definitions; and to
6 provide for related matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. R.S. 18:1463(A), (F), and (G) are hereby amended and reenacted and R.S.
9 18:1463(H) is hereby enacted to read as follows:

10 §1463. Political material; ethics; prohibitions

11 A. The Legislature of Louisiana finds that the state has a compelling interest
12 in taking every necessary step to assure that all elections are held in a fair and ethical
13 manner and finds that an election cannot be held in a fair and ethical manner when
14 any candidate or other person is allowed to print or distribute any material which
15 falsely alleges that a candidate is supported by or affiliated with another candidate,
16 group of candidates, or other person, or a political faction, or to publish statements
17 that make scurrilous, false, or irresponsible adverse comments about a candidate or
18 a proposition. The legislature further finds that the state has a compelling interest
19 to protect the electoral process and that the people have an interest in knowing the
20 identity of each candidate whose number appears on a sample ballot in order to be

1 fully informed and to exercise their right to vote for a candidate of their choice. The
 2 legislature further finds that it is essential to the protection of the electoral process
 3 that the people be able to know who is responsible for publications in order to more
 4 properly evaluate the statements contained in them and to informatively exercise
 5 their right to vote. The legislature further finds that it is essential to the protection
 6 of the electoral process to prohibit misrepresentation that a person, committee, or
 7 organization speaks, writes, or acts on behalf of a candidate, political committee, or
 8 political party, or an agent or employee thereof. The legislature further finds that it
 9 is essential to the protection of the electoral process that the public not be deceived
 10 or misled by an image or likeness of a candidate that is created using artificial
 11 intelligence.

12 * * *

13 F.(1) No person shall make or cause to be made any electioneering
 14 communication or any digital material placed or promoted on a public facing
 15 website, web application, or digital application within sixty days before any election
 16 in which a candidate is on the ballot that portrays the candidate and that is created
 17 using artificial intelligence without providing a clear and understandable disclosure
 18 on the electioneering communication or digital material that it was created using
 19 artificial intelligence.

20 (2) For purposes of this Subsection, the following terms have the following
 21 meanings:

22 (a) "Artificial intelligence" shall have the same meaning as provided in R.S.
 23 14:73.14.

24 (b) "Electioneering communication" shall have the same meaning as
 25 provided in Paragraph (C)(5) of this Section.

26 (c) "Candidate" shall have the same meaning as provided in R.S. 18:1483.

27 G. F: For the purposes of this Section, the term "digital material" means any
 28 material or communication that, for a fee or other payment, is placed or promoted

1 on a public facing website, web application, or digital application, including a social
2 network, advertising network, or search engine.

3 H. G. Whoever violates any provision of this Section shall be fined not more
4 than two thousand dollars or be imprisoned, with or without hard labor, for not more
5 than two years, or both.

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

HB 459 Reengrossed

2026 Regular Session

Mandie Landry

Abstract: Requires a disclosure on electioneering communications and certain digital materials when the material contains the image or likeness of a candidate that is created using artificial intelligence, subject to criminal penalties.

Present law (R.S. 18:1463) requires that certain electioneering communications and digital materials contain a disclosure of the person paying for the communication.

Proposed law retains present law and further finds that it is essential to the protection of the electoral process that the public not be deceived or misled by an image or likeness of a candidate that is created using artificial intelligence, and therefore provides that no person shall make any electioneering communication or any digital material placed or promoted on a public facing website, web application, or digital application within 60 days before an election in which a candidate is on the ballot that portrays the candidate and that is created using artificial intelligence without providing a clear and understandable disclosure on the electioneering communication or digital material that it was created using artificial intelligence.

Present law provides that whoever violates present law shall be fined not more than \$2,000 or be imprisoned, with or without hard labor, for not more than two years, or both.

Proposed law retains present law and applies present law penalties to proposed law.

Present law defines "digital material" as any material or communication that, for a fee, is placed or promoted on a public facing website, web application, or digital application, including a social network, advertising network, or search engine.

Proposed law adds to the present law definition of "digital materials" materials or communications placed or promoted for any payment other than a fee.

Present law (R.S. 14:73.14) defines "artificial intelligence" as an artificial system developed in computer software, physical hardware, or other context that solves tasks requiring human-like perception, cognition, planning, learning, communication, or physical action.

Proposed law retains present law and applies the same definition to proposed law.

Present law defines "electioneering communication" as any broadcast, cable, or satellite communication that refers to a legally qualified candidate for elected office and is broadcast within 60 days before any election in which such candidate is on the ballot.

Proposed law retains present law and applies the same definition to proposed law.

Present law (R.S. 18:1483(3)) defines "candidate" as a person who seeks nomination or election to public office, except the office of president or vice president of the United States, presidential elector, delegate to a political party convention, United States senator, United States congressman, or political party office. An individual shall be deemed to seek nomination or election to such office if the individual has done any of the following:

- (1) Since prior participation in an election, if any, received and accepted a contribution or made an expenditure, or has given his consent for any other person or committee to receive a contribution or make an expenditure with a view to influencing his nomination or election to office whether or not the specific public office for which he will be a candidate is known at the time the contribution is received or the expenditure is made.
- (2) Taken the action necessary under the laws of the state of La. to qualify himself for nomination or election to public office.
- (3) Been selected as a party nominee in accordance with present law (R.S. 18:410.6).

Proposed law retains present law and applies the same definition to proposed law.

(Amends R.S. 18:1463(A), (F), and (G); Adds R.S. 18:1463(H))

Summary of Amendments Adopted by House

The House Floor Amendments to the engrossed bill:

1. Provide for disclosure of the use of artificial intelligence in the making of electioneering communications rather than in the distribution or transmission of paid political announcements or advertisements.
2. Require that the disclosure be clear and understandable, rather than require that the disclosure appear in the manner provided for in present law related to disclosure of the name of third-party payors.
3. Remove the proposed law increase of the criminal fine to \$10,000, keeping the fine at the present law \$2,000.
4. Provide a definition for "candidate".