

2024 Regular Session

SENATE BILL NO. 217

BY SENATOR MIGUEZ

ELECTION CODE. Defines "deep fake" in the Election Code. (8/1/24)

1 AN ACT

2 To amend and reenact R.S. 18:2(2) through (15) and to enact R.S. 18:2(16), relative to  
3 definitions; to define the term "deep fake"; and to provide for related matters.

4 Be it enacted by the Legislature of Louisiana:

5 Section 1. R.S. 18:2(2) through (15) is hereby amended and reenacted and R.S.  
6 18:2(16) is hereby enacted to read as follows:

7 §2. Definitions

8 As used in this Code, the following words and terms shall have the meanings  
9 hereinafter ascribed to each, unless the context clearly indicates another meaning:

10 \* \* \*

11 **(2)"Deep fake" means synthetic media created with the intent to mislead**  
12 **or deceive others which depicts a candidate via video, image, or sound recording**  
13 **without his consent, except for any media which conspicuously displays a notice**  
14 **clearly identifying that the media is computer generated or not a genuine**  
15 **depiction of a person or events.**

16 ~~(2)~~**(3)** "Federal election" means a general, special, primary, or runoff election  
17 for federal office; a convention or caucus of a political party which has authority to

1 nominate a candidate for federal office; a primary election held for the selection of  
2 delegates to a national nominating convention of a political party; and a primary  
3 election held for the expression of a preference for the nomination of individuals for  
4 election to the office of president.

5 ~~(3)~~**(4)** "Federal office" means the office of president or vice president of the  
6 United States or of senator or representative in the United States Congress.

7 ~~(4)~~**(5)** "Immediate family" means the individual's children, the spouses of his  
8 children, his brothers and their spouses, his sisters and their spouses, his parents, his  
9 spouse, and the parents of his spouse.

10 ~~(5)~~**(6)** "Parish governing authority" or "governing authority of the parish"  
11 with respect to Orleans Parish means the city council.

12 *[Effective Date: Text of Paragraph (7) effective on January 1, 2026.]*

13 ~~(6)~~**(7)** "Party affiliation" and "affiliation with a political party" means the  
14 party affiliation designated in the registrant's information on the state voter  
15 registration computer system.

16 *[Effective Date: Text of Paragraph (8) effective on January 1, 2026.]*

17 ~~(7)~~**(8)** "Party primary office" means an office of senator or representative in  
18 the United States Congress, justice of the supreme court, the State Board of  
19 Elementary and Secondary Education, and the Public Service Commission.

20 ~~(8)~~**(9)** "Polling place" means any location where voting, either early or on  
21 election day, is conducted pursuant to this Code.

22 ~~(9)~~**(10)** "Precinct" means the smallest political unit of a ward having defined  
23 geographical boundaries.

24 *[Effective Date: Text of Paragraph (11) effective on January 1, 2026.]*

25 ~~(10)~~**(11)** "Primary election" means a primary election for a party primary  
26 office or an office other than a party primary office.

27 ~~(11)~~**(12)** "Signature" means the name of a person which is signed. Signature  
28 in this Title includes the handwritten, electronic, or digitized name of an individual,  
29 except when the handwritten signature of the individual is specifically required.

1                   ~~(12)~~**(13)** "Under an order of imprisonment" means a sentence of confinement,  
 2                   whether or not suspended, whether or not the subject of the order has been placed on  
 3                   probation, with or without supervision, and whether or not the subject of the order  
 4                   has been paroled.

5                   ~~(13)~~**(14)** "Voter registration agency" means an office designated under R.S.  
 6                   18:116(A) to perform voter registration activities.

7                   ~~(14)~~**(15)** "Voting district" means a geographical area composed of one or  
 8                   more precincts in a parish in which every elector within that area votes in the same  
 9                   congressional district, statewide board or commission district, judicial district,  
 10                  Senate District, House of Representative District, parish governing authority district,  
 11                  local and ward office district, municipal office district, and all other special election  
 12                  districts.

13                  ~~(15)~~**(16)** "Ward" means a police jury ward in a parish and in parishes having  
 14                  no police jury wards means the subdivision of the parish equivalent to a police jury  
 15                  ward.

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The original instrument and the following digest, which constitutes no part  
 of the legislative instrument, were prepared by Matt DeVille.

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#### DIGEST

SB 217 Engrossed

2024 Regular Session

Miguez

Present law defines the terms "federal election", "federal office", "immediate family", "parish governing authority" or "governing authority of the parish", "party affiliation" and "affiliation with a political party", "Party primary office", "polling place", "primary election", "signature", "under an order of imprisonment", "voter registration agency", "voting district", and "ward".

Proposed law retains present law and defines the term "deep fake" as synthetic media created with the intent to mislead or deceive others which depicts a candidate via video, image, or sound recording without his consent, except for any media which conspicuously displays a notice clearly identifying that the media is computer generated or not a genuine depiction of a person or events.

Effective August 1, 2024.

(Amends R.S. 18:2(2-15); adds R.S. 18:2(16))

Summary of Amendments Adopted by Senate

Committee Amendments Proposed by Senate Committee on Senate and  
 Governmental Affairs to the original bill

1. Define the term "deep fake".
2. Make technical changes.