

Eureka Broadcasting Company's Policy of AI in Political Advertising

A recently signed and enacted California law (AB 2839) deals with political advertising, A.I. and "deceptive content." To minimize liability under the new law, we have been advised to create and distribute a policy about "materially deceptive content" during the 120 days before and 60 days after an election.

Station A.I./Deceptive Content Notification

Our policy statement prohibits and disclaims the presentation of materially deceptive content in any material related to a federal state or local election, election official or other ballot items and we require all advertisers and programmers to comply with the requirements in this document. This document is being provided to you associated with this requirement. Every person or entity seeking to purchase or otherwise provide politically-related advertisements or other content on this station 120 days before and 60 days after an election will receive a copy of this document.

NON-CANDIDATE Notice to any person, committee, or other entity, *other than* a legally qualified candidate for elective office who will appear on the ballot: any advertisement or spot that portrays a candidate for any federal, state, or local elected office in California, including the President or Vice President, or a California elected official whether or not a current candidate, or an election's official, as doing or saying something the candidate did not do or say; or that portrays a voting machine, ballot, voting site, or other property or equipment related to an election in California portrayed in a materially false way. If AI technology is included, *your commercial must include* a disclosure stating "This audio has been manipulated."

CANDIDATE Notice to any candidate: If a candidate's advertising or appearance on a show where content includes a portrayal of the candidate doing or saying something that they did not do or say, that content must include a disclosure statement that "the audio has been manipulated."

The disclosure must be read in a clearly spoken manner, in a pitch that can be easily heard by the average listener, at the beginning and end of the audio, and, if the audio is greater than two minutes in length, within the audio at intervals of not greater than two minutes each.

There is a news exemption for bona fide newscast, news interview, news documentary, commentary of general interest, or on-the-spot coverage of bona fide news events containing Materially Deceptive Content. If that event does occur, the news entity must include a clear acknowledgment in the content or a disclosure, in a manner easily heard or read by the average listener, that *the materially deceptive content does not accurately represent any actual event, occurrence, appearance, speech, or expressive conduct.*