



Neutral Testimony of S375  
For the Senate Committee on Federal and State Affairs  
Feb. 8, 2024  
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Chairman Thompson and Members of the Committee,

Thank you for the opportunity to provide neutral testimony in support of Senate Bill 375 on behalf of the 260 broadcast stations that are members of the KAB.

With the growing prevalence of artificial intelligence (AI) technology, it's important that laws and guidelines are adopted to ensure proper and responsible use. However, the broadcast community has noticed a concerning trend of overly broad AI legislation—across various state legislatures—that does not clearly state who is liable for AI-created content in advertising. It is the advertiser, not the broadcaster, who is responsible. The broadcaster is merely fulfilling its contractual responsibilities when airing a spot provided by the advertiser.

It's also important to note that Federal law prohibits stations from modifying political spots from candidates and obligates them to air the political ads unaltered. This is referred to as the "No Censorship Rule." Because they cannot modify such ads, federal law protects them from liability for airing them.

Federal law also requires stations to air ads from federal candidates, and the "No Censorship Rule" states that stations cannot turn away any federal candidate based solely on the content of their advertisement. Once again, federal law protects stations from liability for airing such ads.

Regarding Senate Bill 375, the KAB does not object to—and already follows the existing state and Federal laws—requiring political advertisements to include sponsorship identification. However, SB375 does not make clear who is liable for the advertisement content and disclosure inclusion.

If the bill was amended to include the following language, then the KAB would no longer have concerns regarding SB375.

"The responsibility for including the disclosures required hereunder in qualifying advertisements and communications, as well as all liability for any failure to do so, shall rest

solely with the advertiser and not with any broadcaster or other media platform or carrier disseminating the advertisement or communication.

I appreciate your time in discussing this important matter. Thank you.

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