



Before the Committee on Veterans and Legal Affairs

April, 28 2025

Testimony of Chris Hodgdon on behalf of Comcast

An Act Regarding Artificial Intelligence in Campaign Advertising

Senator Hickman, Representative Supica, honorable members of the Committee on Veterans and Legal Affairs.

Thank you for the opportunity to offer the following testimony neither for nor against LD 1690. We request that the Committee consider including the suggested amendments at the end of this testimony to better clarify our compliance with the legislation. My name is Chris Hodgdon, I am Comcast's Vice President of Government Affairs here in Maine. Comcast Cable serves 18 Maine communities in the Mid Coast region, from Freeport to Woolwich and along the New Hampshire border from Kittery to Sanford. We currently offer our gigabit broadband, video, voice and mobile services to more than 74,000 Maine homes, businesses and institutions including the public sector through our Xfinity brand. Comcast is also the parent company of NBCUniversal which owns Peacock a streaming service, NBC and Telemundo which are commercial broadcasting networks including NBC10 Boston and several cable channels including MSNBC, CNBC, USA Network, Bravo and E!. All these entities sell advertising including advertisements considered political communications under MRSA 21-A.

Comcast has long been committed to protecting our customers from deceptive and misleading advertising. We prohibit advertisers from including any false, unwarranted, or misleading claims, including fake or deceptive content such as deepfakes in any advertisement. Comcast appreciates the sponsor's effort in ensuring the accuracy of political advertising in Maine. However, we are concerned about the overbreadth of LD 1690 as currently drafted, and the impact it may have on cable operators and any other publishers that distribute video or sell advertising that may include deep fakes created by artificial intelligence.

In short, we suggest the bill should be amended to make clear that publishers like cable providers, streaming platforms, broadcasters and other video providers are not liable for content

distributed on their platforms that they did not create and had no way of knowing could contain misleading deep fakes. Employees of video providers are in no better position than any other member of the public to determine whether an image or video is a deceptive deepfake. As currently written, this bill would create uncertainty for publishers as to which party is responsible in the face of a violation. Clarity can be achieved by adding statutory language in Section 2 of LD 1690 in 5-B and 5-B(D). This language should place the obligation to disclose the use of synthetic media in a communication covered by MRSA 21-A on the entity that sponsors or creates the communication. Providers like Comcast, who distribute video content and sell advertising, typically do not have any role in creating the content and advertising inventory that they sell, nor are they able to review the content and advertising and discern in every instance when artificial intelligence (AI) has been used.

Further, since political speech enjoys the highest protections of any speech, and political advertisements are a key channel that candidates use to reach voters, the law should not impose liability on distributors when that responsibility should rightfully lie with creators and those that sponsor such speech. Indeed, many political advertisements are protected by federal law from censorship or modification by the ad channels that distribute those advertisements. The bill, as currently drafted, could make compliance impossible in those instances. But even beyond legal compliance challenges, when faced with potential legal liability for deceptive content they had no ability to detect or opportunity to prevent, some video providers may simply choose not to accept political advertisements at all, depriving voters of access to information about important political matters in their communities.

Comcast appreciates the legislation's recognition that distributors of bona fide news content, advertisements and media that constitutes parody or satire should be exempt. We respectfully request an expansion of the listed entities to truly reflect the current diverse media landscape. This can be accomplished by making the following amendments:

- Add streaming provider to the list of broadcasters of bona fide news included in subsection (C), 1.
- Add streaming provider or other online programming service providers to subsection (C), 2 and clarify that the exemption applies to all political communications unless the content distributor removes the required disclaimer.
- Add online news publishers to the list of exempt news publishers and clarify that the required disclaimer can be provided such that it can easily be read or heard.

We appreciate and understand the legitimate concerns that content and advertising, particularly political advertising, can be intentionally misleading given the proliferation of generative AI use. However, we believe that the focus of legislation should be on the knowing intent of the creators of content or advertisement, not providers who merely distribute content or advertisement and are not able to identify the use of AI in every instance.

Thank you for your time and attention to this testimony we are available to assist the committee as it considers the legislation. Please do not hesitate to reach out with any questions.

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