State of Deepfake Legislation
2025 Mid-Year Report

Executive Summary

This report is Ballotpedia's second annual mid-year deepfake legislation report, following the launch of **Ballotpedia's Artificial Intelligence Deepfake Legislation Tracker** in June 2024. One year later, we provide an update on the status of state legislation intended to regulate deepfakes.

As of July 10, state lawmakers had adopted 64 laws related to deepfakes in 2025, up from the 52 laws enacted by the same date in 2024. Of the laws enacted so far in 2025, the three most common topics were bills addressing sexually explicit deepfakes (42 bills), bills dealing with political communications (8), and bills creating regulations on tech entities related to deepfakes (9).

Since January 2025, the number of states that have enacted laws addressing sexually explicit deepfakes increased from 32 to 45. The number of states with laws regulating political deepfakes increased from 21 to 28.

While state lawmakers kept up a similar pace to last year in introducing and adopting laws regulating deepfakes, federal lawmakers considered a 10-year moratorium on state regulations of artificial intelligence.

The moratorium—originally part of **H.R.1**, the **One Big Beautiful Bill Act**—would have prohibited any state from regulating artificial intelligence models for 10 years. The Senate **struck** the prohibition from the bill by a 99-1 vote on July 1.

A **proposed amendment**, which was later withdrawn, added an exception for "a generally applicable law or regulation, such as a law or regulation pertaining to unfair or deceptive acts or practices, child online safety, child sexual abuse material, rights of publicity, [or] protection of a person's name, image, voice, or likeness[.]"

Deepfakes are videos, images, or audio files that have been generated or manipulated by artificial intelligence in order to realistically portray something that did not actually occur. According to the U.S. Government Accountability Office, "Deepfakes rely on artificial neural networks, which are computer systems modeled loosely on the human brain that recognize patterns in data. Developing a deepfake photo or video typically involves feeding hundreds or thousands of images into the artificial neural network, 'training' it to identify and reconstruct patterns—usually faces."[1]

Public policy organizations, lawmakers, and journalists have expressed concerns related to the use of deepfake technology, including the proliferation of child sexual abuse material and other nonconsensual sexual content, the distribution of deceptive political communications and election disinformation, property rights infringement, harassment, fraud, and threats to national security.[2,3,4,5,6,7,8]

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[1] *U.S. Government Accountability Office*, "Science & Tech Spotlight: Deepfakes," February 2020
[2] *The New York Times*, "Teen Girls Confront an Epidemic of Deepfake Nudes in Schools," April 8, 2024
[3] *AP News*, "FEC moves toward potentially regulating AI deepfakes in campaign ads," August 10, 2023
[4] *Brennan Center for Justice*, "Regulating AI Deepfakes and Synthetic Media in the Political Arena," December 5, 2023
[5] *NBC News*, "States turn their attention to regulating AI and deepfakes as 2024 kicks off," January 25, 2024
[6] *AP News*, "What to know about how lawmakers are addressing deepfakes like the ones that victimized Taylor Swift," January 31, 2024
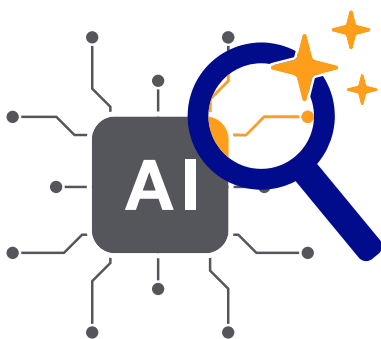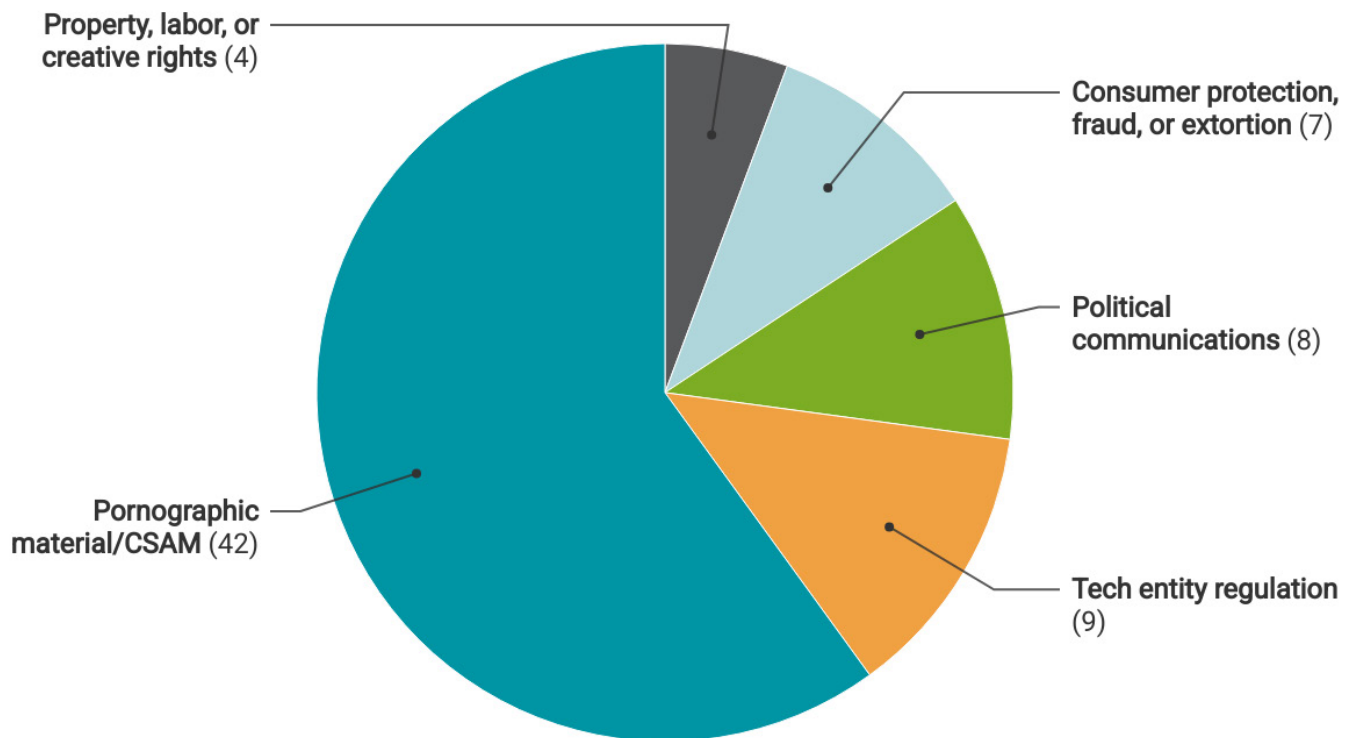[7] *MultiState*, "More and More States Are Enacting Laws Addressing AI Deepfakes," April 5, 2024
[8] *Regulations.gov*, "Comment on FR Doc # 2023-28232," January 31, 2024

Policy approaches vary as lawmakers and advocates balance concerns about deepfakes with First Amendment free speech considerations and beneficial uses of the technology.[1,9,10] The Foundation for Individual Rights and Expression writes, "Any government restriction on the expressive use of AI needs to be narrowly tailored to serve a compelling governmental purpose, and the regulation must restrict as little expression as is necessary to achieve that purpose."[11]

The legislative activity in this report is current through July 10, 2025.

Enacted laws by most common topics, 2025

Property, labor, or creative rights (4)

Consumer protection, fraud, or extortion (7)

Political communications (8)

Tech entity regulation (9)

Tech entity regulation (9)

Pornographic material/CSAM (42)

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9   *ACLU of Georgia*, "Press Statement: ACLU of Georgia Opposes Bill Criminalizing 'Deep Fakes' about Election Candidates," January 29, 2024
10 *Courthouse News Service*, "Free speech implications surface as experts urge Senate to regulate deepfakes," April 30, 2024
11 *Foundation for Individual Rights and Expression*, "Artificial intelligence, free speech, and the First Amendment," accessed July 16, 2025

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By the numbers

| Deepfake-related bills	2025	2019 – 2025
Enacted	64	174
Enacted by Democratic trifectas	15	69
Enacted by Republican trifectas	37	80
Enacted by divided governments	12	25
Enacted with Democratic sponsorship	15	47
Enacted with Republican sponsorship	14	34
Enacted with Bipartisan sponsorship	30	83
Vetoed	3	7

Number of deepfake-related laws enacted, 2019-2025

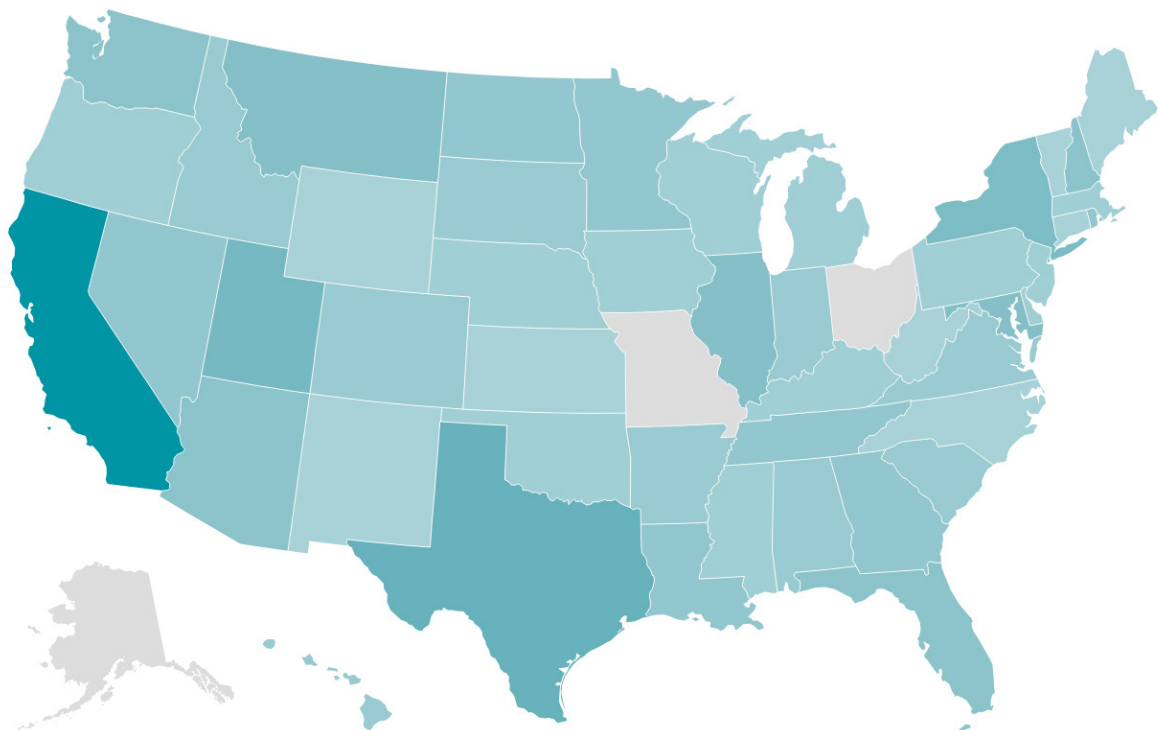| Year	Count
2019	7
2020	3
2021	5
2022	6
2023	10
2024	79
2025	64
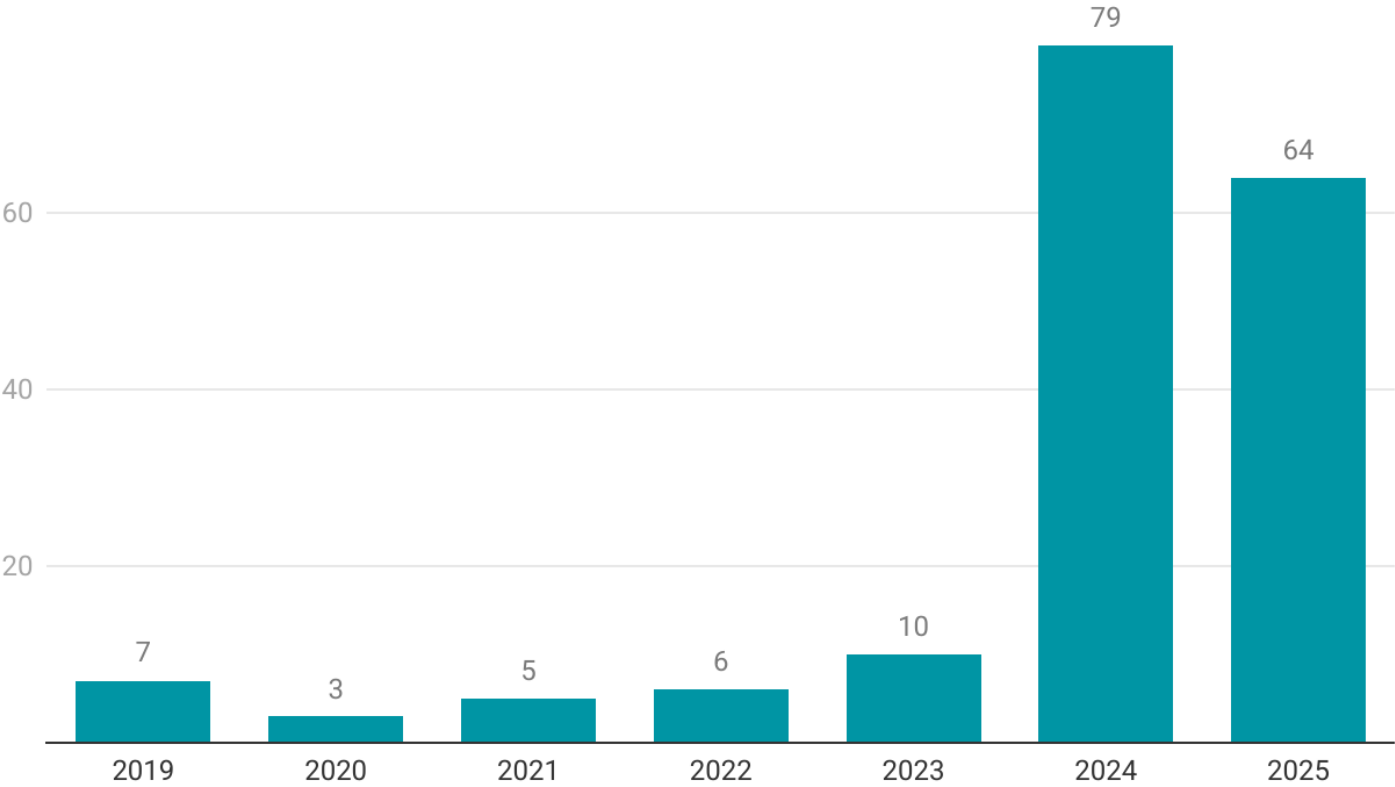
States that have enacted deepfake laws, 2019-2025

Year first deepfake law enacted:

2019   2020   2021   2022   2023   2024   2025
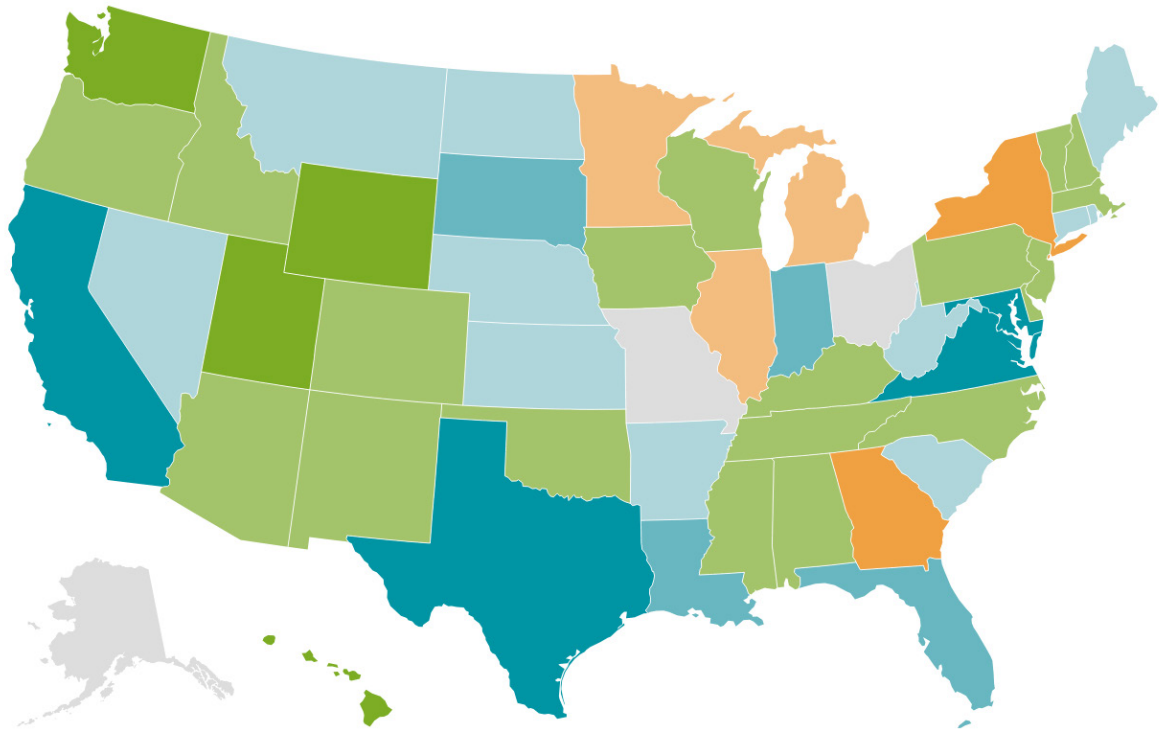
Number of deepfake laws enacted in each state, 2019-2025

0   18

State deepfake laws

Political communications

As of July 10, 2025, **28 states** had enacted laws regulating political deepfakes. In 18 of those states, the law applies to political materials distributed within a certain number of days before or after an election.

States that have enacted laws related to political deepfakes, 2019-2025

///. Mass. HB 5100 (2024) included a repeal of the relevant section on Feb. 1, 2025.
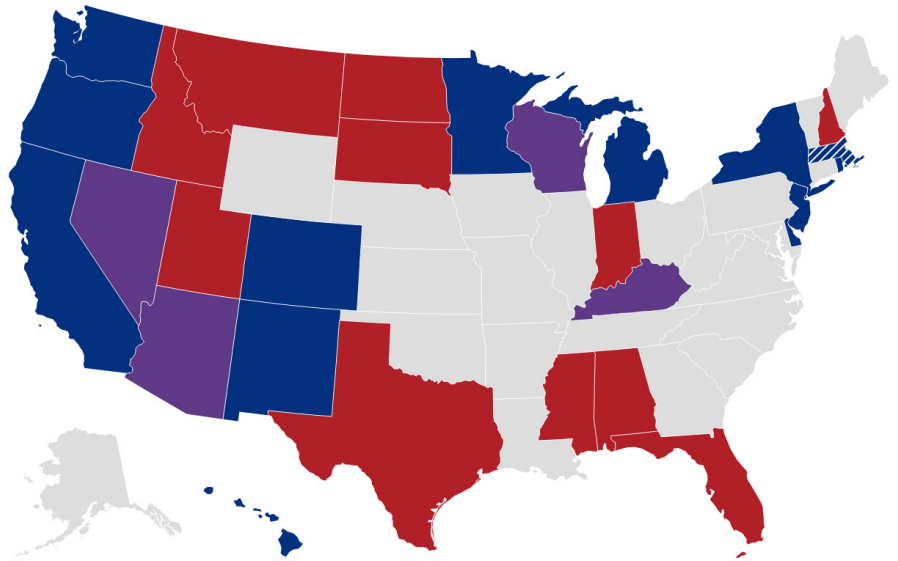
States are shaded to indicate the trifecta status at the time the first relevant law was enacted.

In most states that have passed laws related to political deepfakes, the law makes an exception for materials containing a disclosure statement, with varying degrees of specificity regarding what that statement must say and how it must be presented.

However, three states have laws prohibiting deepfakes from being distributed a certain number of days before an election that do not include an exception for materials containing a disclosure statement. One of those laws, in California, has been blocked since October 2024, when a U.S. district judge issued a preliminary injunction in an ongoing lawsuit.

States that have enacted political deepfake bans without disclosure exceptions

///. U.S. District Judge John Mendez blocked enforcement of California AB 2839 on Oct. 2, 2024.
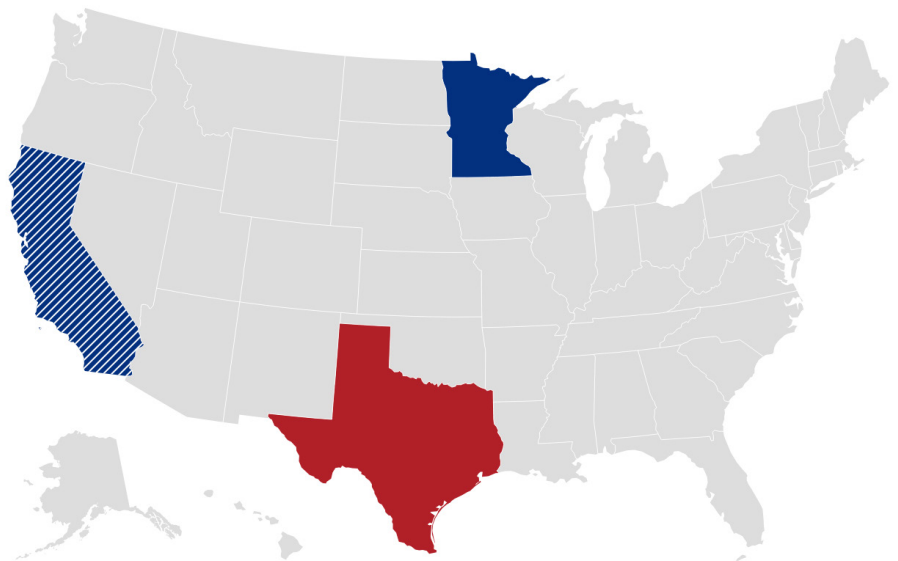
These prohibitions apply a certain number of days before an election.
States are shaded to indicate the trifecta status at the time the law was enacted.

Pornographic materials

As of July 10, 2025, **45 states** had enacted laws related to pornographic deepfakes. Some of those laws specifically address the creation and distribution of child sexual abuse material, while others address the nonconsensual creation and distribution of adult intimate images. Thirty-three states had passed laws addressing both.

States that have enacted laws related to pornographic deepfakes, 2019-2025

- 🟦 Laws addressing adult pornographic material
- 🟧 Laws addressing child sexual abuse material
- 🟩 Laws addressing both
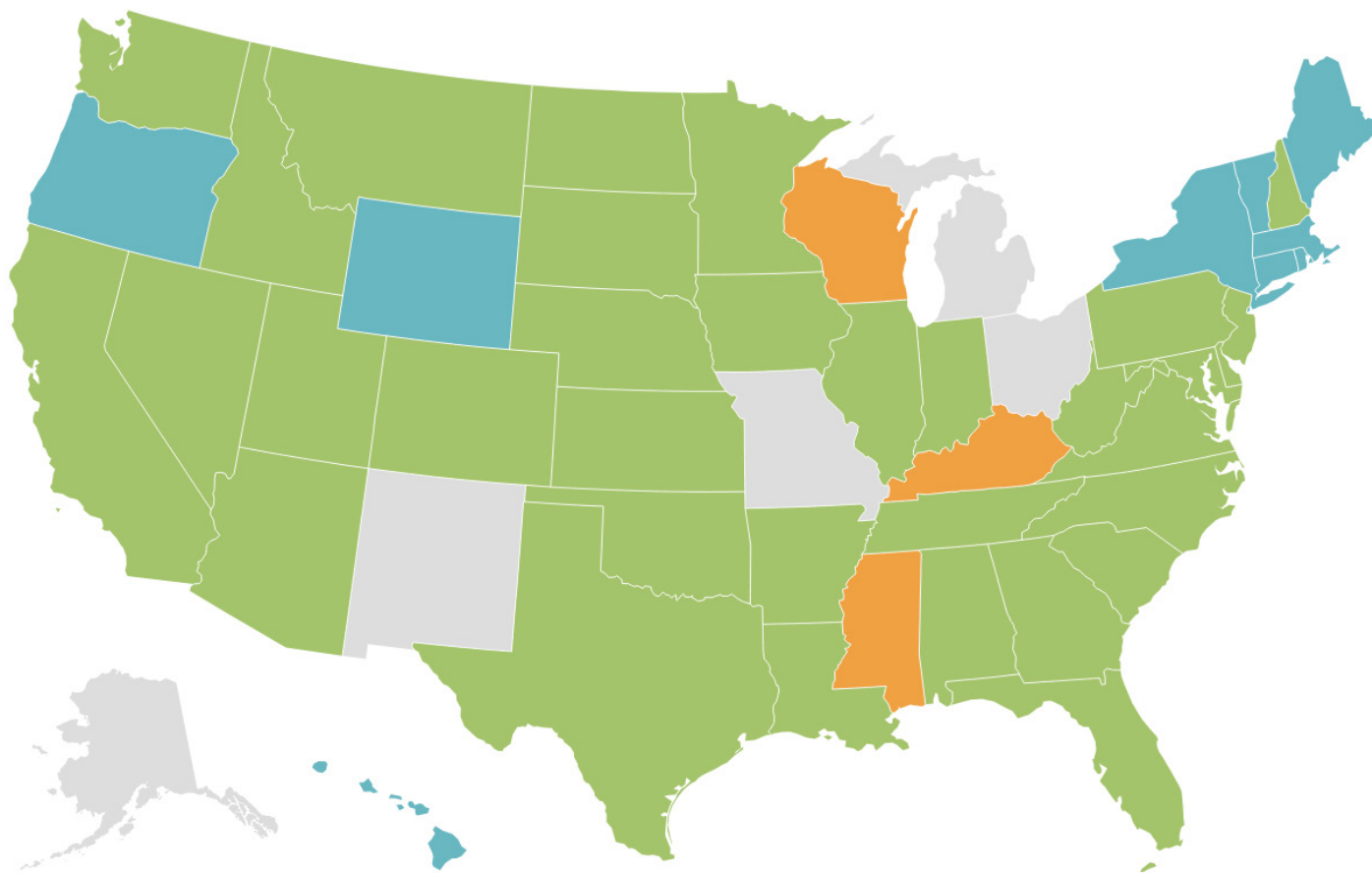
Legislative activity in 2025

Forty-six states introduced bills related to deepfakes in 2025, or carried such bills over from the 2024 session. Lawmakers in New York and Texas introduced the most, with 34 bills in each state.

States that introduced or carried over deepfake bills in 2025
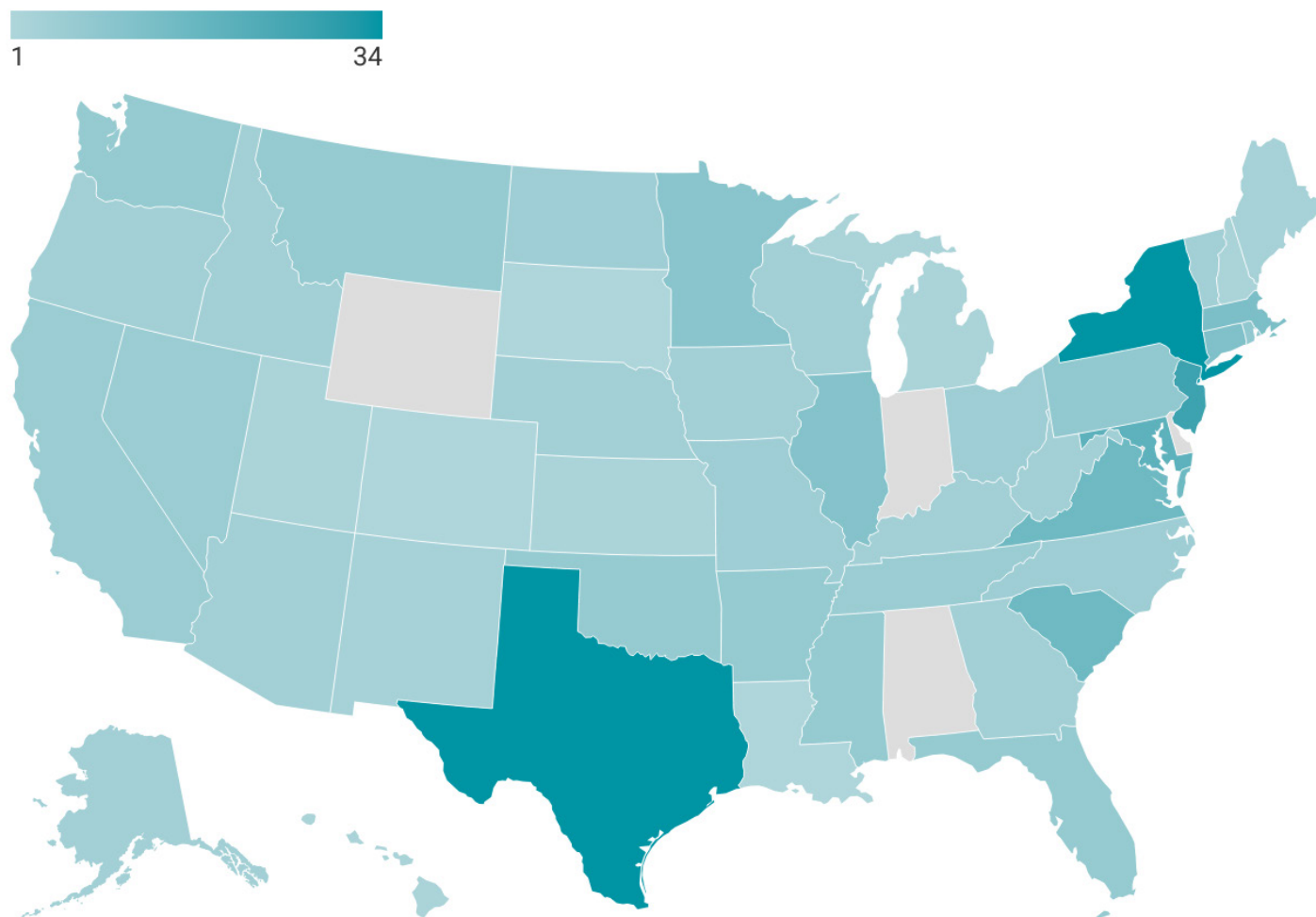
Democrats sponsored the most deepfake-related bills introduced in or carried over to 2025 legislative sessions (141 bills), followed by bipartisan-sponsored bills (106), and Republican-sponsored bills (88).

2025 deepfake bills by party of sponsor(s)
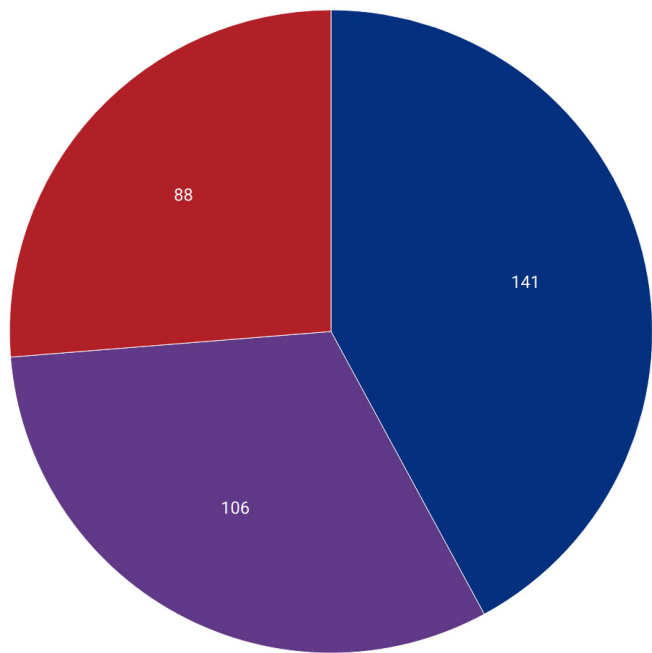
Includes bills introduced in or carried over to 2025 legislative sessions.
Does not include bills introduced by committee.

Forty-three percent of deepfake-related bills introduced in or carried over to 2025 legislative sessions were introduced in Democratic trifecta states, 38% were introduced in Republican trifecta states, and 20% were introduced in states with divided governments.
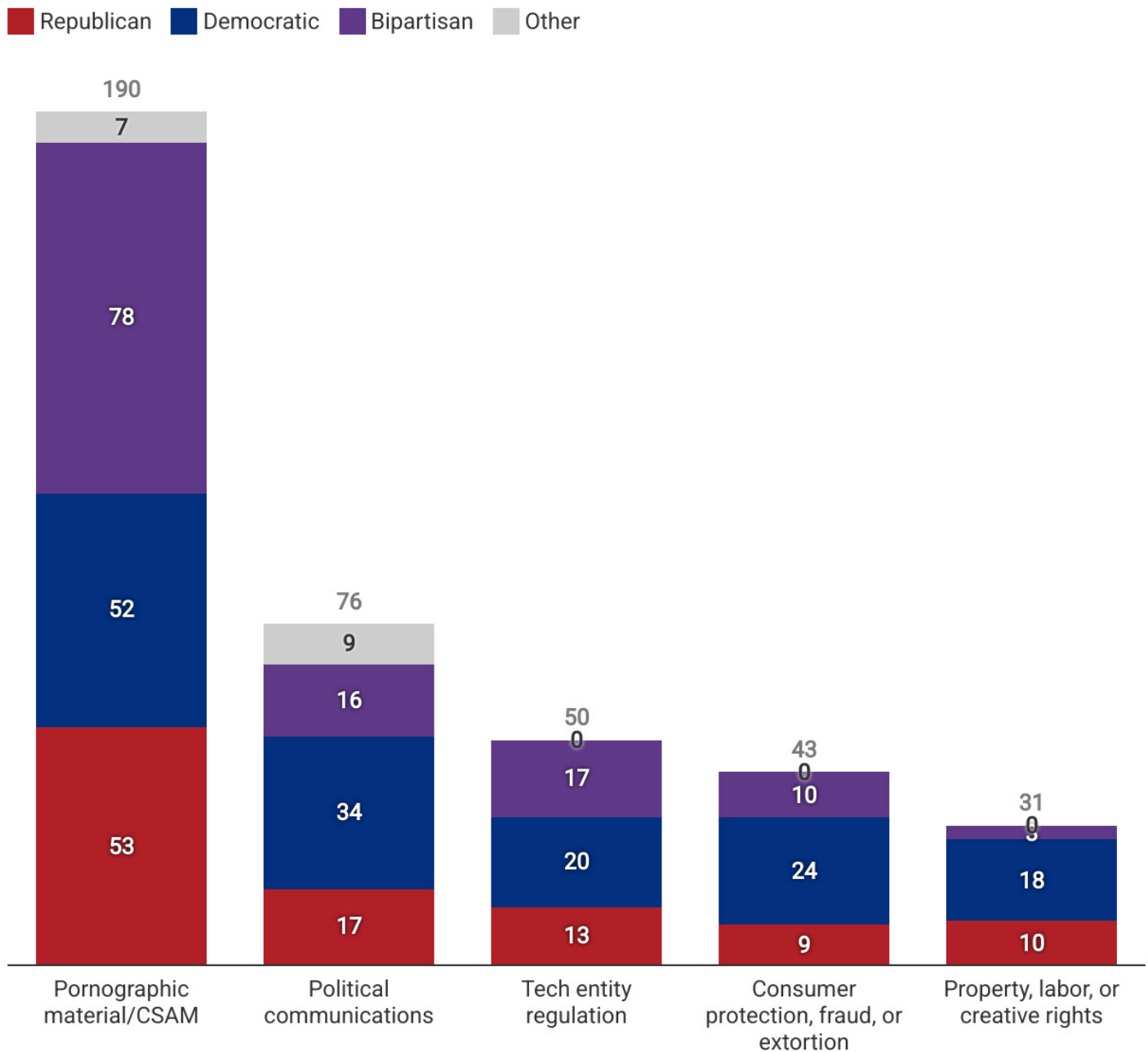
2025 deepfake bills by state trifecta status
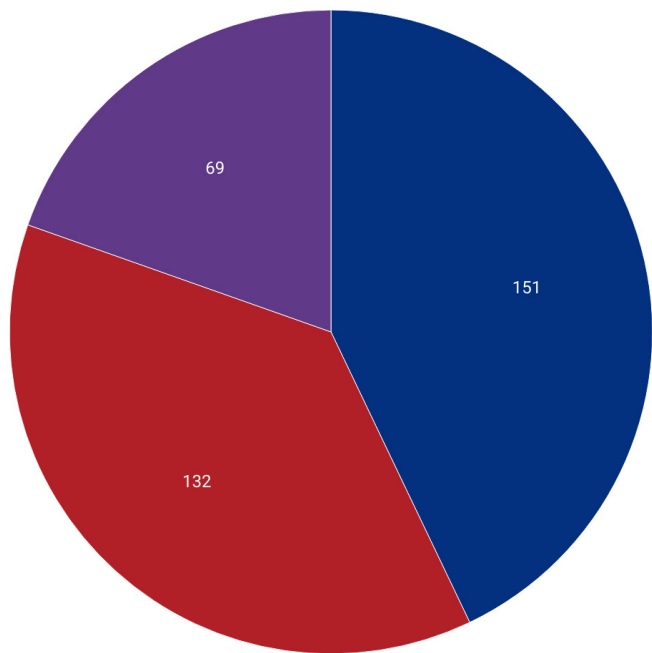
Includes bills introduced in or carried over to 2025 legislative sessions.

The following chart shows the five most common topics of deepfake-related bills introduced in or carried over to the 2025 legislative session, broken down by the party affiliation of the bills' sponsor(s):

Most common topics of deepfake-related bills in 2025, by sponsor party

■ Republican ■ Democratic ■ Bipartisan ▢ Other

Topic	Republican	Democratic	Bipartisan	Other	Total
Pornographic material/CSAM	53	52	78	7	190
Political communications	17	34	16	9	76
Tech entity regulation	13	20	17	0	50
Consumer protection, fraud, or extortion	9	24	10	0	43
Property, labor, or creative rights	10	18	3	0	31

Trends in deepfake legislation: 2019 – 2025

The chart below shows the number of deepfake-related bills introduced and enacted from 2019 to 2025. Eighty-two percent of the bills enacted since 2019 were enacted in 2024 or 2025.

Number of deepfake-related bills introduced and enacted, 2019-2025

■ Bills introduced ■ Bills enacted
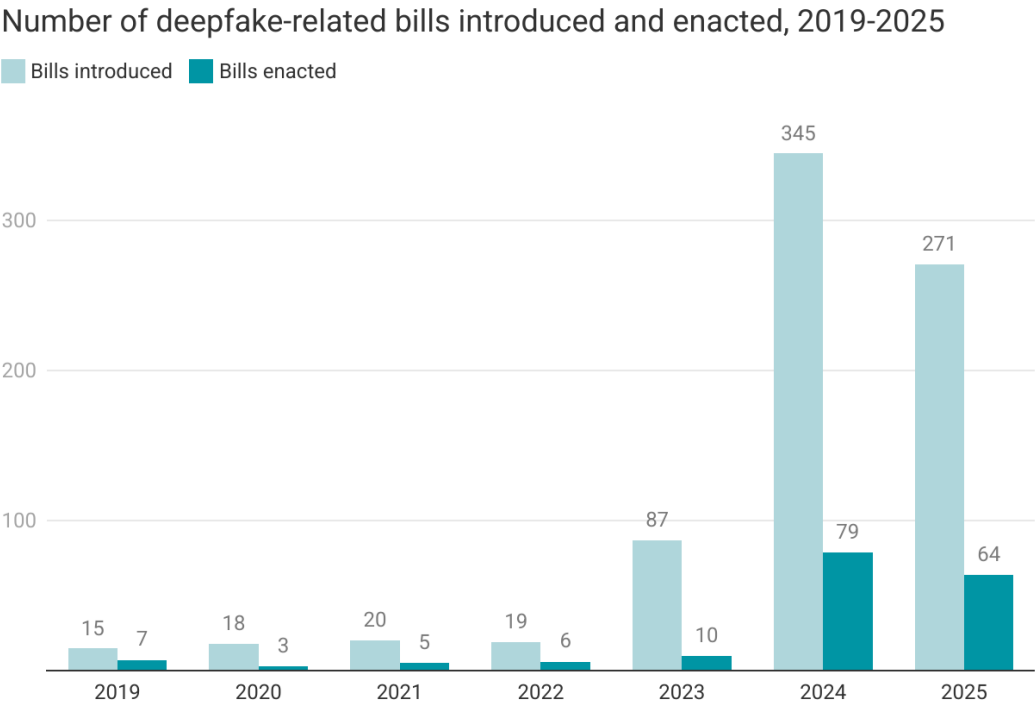
Below is a chart showing the most common topics of deepfake bills enacted from 2019 to 2025. Note that some bills are counted more than once as they addressed more than one of these topics.

Enacted laws by most common topics, 2019-2025
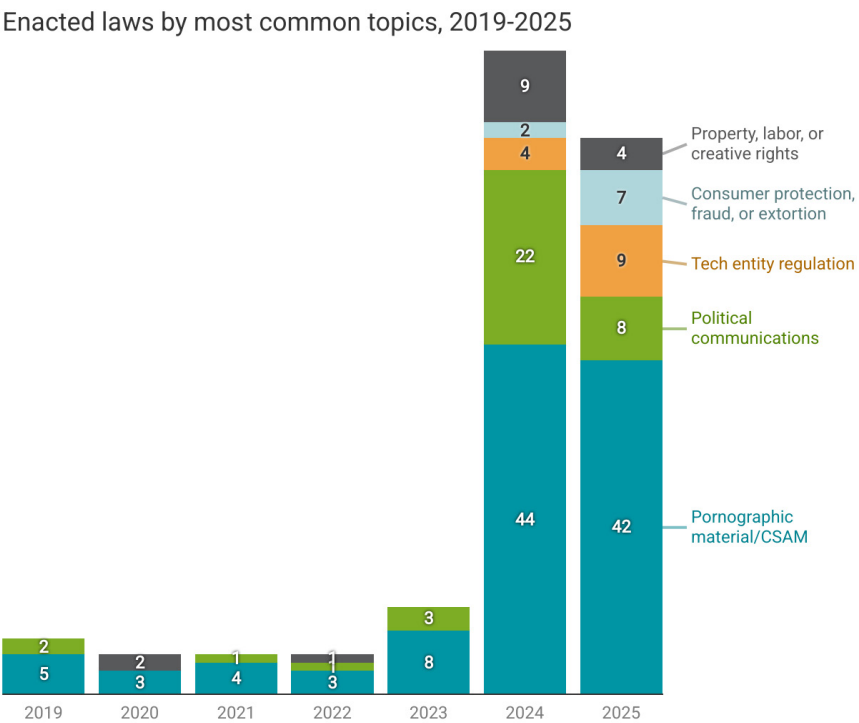
Methodology

Ballotpedia's comprehensive **Artificial Intelligence Deepfake Legislation Tracker** is the basis for the data and analysis in this report. The tracker houses information about deepfake-related bills introduced in state legislatures across the U.S. and provides real-time progress updates. To populate and maintain our tracker, we use:

- **Automated keyword searches**
- **Manual bill review**
- **Real-time refinements based on keyword results and news monitoring**

Once relevant bills are identified and added to the tracker, our team reviews and categorizes each bill, allowing us to track policy changes and analyze trends in deepfake legislation.

A note on our scope:

While U.S. senators considered three bills specifically mentioning deepfakes in 2018, state legislators first introduced bills using that term in 2019. The National Conference of State Legislatures and MultiState both identify 2019 as the year the first states enacted bills addressing deepfake pornography.[12,13]

However, laws referring to computer-generated images predate the popularization of artificial intelligence technologies. In 1996, President Bill Clinton (D) signed the **Child Pornography Prevention Act**, which included in its definition of child pornography any "computer-generated image or picture … [that] is, or appears to be, of a minor engaging in sexually explicit conduct." In 2002, the U.S. Supreme Court found provisions of this law overbroad in *Ashcroft v. Free Speech Coalition*. In 2003, President George W. Bush (R) signed the **PROTECT Act**, which amended USC Title 18, Section 2256 to define child pornography as including any "computer-generated image that is, or is indistinguishable from, that of a minor engaging in sexually explicit conduct." States have passed laws with similar language going back to the 1990s. Because of this, we only include bills in our tracker with such language introduced since 2019.

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[12] *NCSL*, "Deceptive Audio or Visual Media ('Deepfakes') 2024 Legislation," May 7, 2024
[13] *MultiState*, "Combating Sexual Deepfakes," archived May 31, 2024

Deepfake bill category definitions

Once bills are added to the tracker, we tag each bill with one or more of the categories below. To view bills in each category, use the drop-down topic menu **here**.

- **Political communications:** Any bill concerning the use of deepfakes in political communications, such as campaign advertisements.
  - ° **Political deepfake ban:** Any bill prohibiting the distribution of political deepfakes.
  - ° **Pre-election political deepfake ban:** Any bill prohibiting the distribution of political deepfakes during a certain time period before an election.
  - ° **Political deepfake ban with disclosure exception:** Any bill requiring political deepfakes to include a disclosure in order to be distributed legally.
- **Pornographic material:** Any bill concerning the creation or distribution of deepfakes that depict explicit sexual acts or other sensitive content.
  - ° **Child sexual abuse material:** Any bill concerning the creation or distribution of deepfakes that depict child sexual abuse or other sensitive content involving minors.
- **Consumer protection, fraud, or extortion:** Any bill concerning consumer protections related to deepfakes or the use of deepfakes to commit fraud or extortion.
- **Property, labor, or creative rights:** Any bill concerning the infringement of deepfakes upon property rights, labor rights, or creative rights.
- **Defamation:** Any bill concerning deepfakes used in a defamatory manner.
- **Tech entity regulation:** Any bill establishing or modifying regulations on companies or individuals that provide software for creating deepfakes, or on online platforms where deepfakes are shared.
  - ° **Watermark requirement:** Any bill establishing or modifying a requirement for deepfake materials to include an embedded watermark or other digital provenance feature.
- **Evidence authenticity:** Any bill concerning the use of deepfake technology to create inauthentic evidence in the realm of law enforcement.
- **Public education programs or requirements:** Any bill creating or modifying programs or requirements for public education systems, schools, or teachers related to deepfakes.
- **Resolution:** A legislative resolution related to deepfakes.
- **Study:** Any bill that commissions a study or report, or establishes a task force or working group, related to deepfakes.
- **Private cause of action:** Any bill establishing or modifying a private cause of action related to the creation or distribution of deepfakes.
- **Civil penalties:** Any bill establishing or modifying civil penalties related to the creation or distribution of deepfakes.
- **Criminal penalties:** Any bill establishing or modifying criminal penalties related to the creation or distribution of deepfakes.
- **Satire or parody exception:** Any bill making an explicit exception for satire or parody uses of deepfakes.