



April 29, 2025

Montana Capitol Building
1301 E 6th Ave
Helena, MT 59601

RE: HB 513 – “Revise laws related to use of name, voice, and likeness of individuals and penalties for unauthorized use” (Request Opposition to Governor Amendments)

Dear Senator Daniel Zolnikov:

On behalf of the Computer & Communications Industry Association (CCIA), I write to respectfully request that the Montana Legislature reject the Governor’s amendments to HB 513. CCIA is an international, not-for-profit trade association representing a broad cross-section of communications and technology firms.¹ Proposed regulations on the interstate provision of digital services can have a significant impact on CCIA members.

Responsible businesses understand the potential for misuse of digital replicas and are committed to advocating for robust legal protections and frameworks that balance innovation with the safeguarding of personal rights. Unfortunately, the Governor’s proposed amendments to this bill do not provide the right approach, and raise serious concerns about free expression and conflicts with federal law.

The Legislature should not take up the Governor’s amendatory veto but instead stand with the consensus version that overwhelmingly passed the Legislature on April 17, 2025.

Under the Governor’s amendments, First Amendment exclusions have been limited, harming free speech.

The Governor’s proposed amendments will seriously curtail free expression. Not maintaining the full protections of the First Amendment of the U.S. Constitution would reintroduce significant constitutional concerns that had been largely mitigated by the Legislature’s amendments.²

The proposed removal of the commercial use requirement and doubling of the post mortem term excessively broaden the bill.

By removing the commercial use requirement in the definition of “digital visual depiction” and extending the post mortem length from 10 to 20 years, the Governor’s office has significantly broadened the scope of the bill.

¹ For more than 50 years, CCIA has promoted open markets, open systems, and open networks. CCIA members employ more than 1.6 million workers, invest more than \$100 billion in research and development, and contribute trillions of dollars in productivity to the global economy. A list of CCIA members is available at <https://www.ccianet.org/members>.

² Re:Create, *Constitutional Concerns with NO FAKES and Similar Acts* (Aug 20, 2024), <https://www.recreatecoalition.org/constitutional-concerns-with-no-fakes-and-similar-acts/>.



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CCIA acknowledges the significance of this policy issue and we welcome the opportunity to answer any questions that members of the Montana Legislature may have while considering the Governor's amendments.

Respectfully submitted,

Megan Stokes
Director of State Policy
Computer & Communications Industry Association