



Protections Against Election Disinformation

No updates required since September 29, 2023

Background

Since the 2020 election and the proliferation of the “Big Lie,” voter confidence in elections has declined sharply and election denialism continues to plague our democracy. In response to these threats, some states have updated their laws to explicitly protect against election related disinformation. Specifically, this type of legislation prohibits the knowing dissemination of false information regarding the time, place and manner of conducting elections, as well as false or misleading information about the qualifications or restrictions related to voter eligibility. These laws generally work by imposing criminal penalties on persons who knowingly violate the disinformation prohibitions, and some states also provide private rights of action for voters to whom the false information is directed, allowing them to seek a court order against the person who communicated the information.

Scoring

- State has a law explicitly protecting against election disinformation, 1 point
- State does not have a law explicitly protecting against election disinformation, 0 points

Summary Table

Category	Number	List
State has a law explicitly protecting against election disinformation	11 states	California Connecticut Hawaii Maryland Minnesota Missouri Montana New Mexico Pennsylvania Tennessee Virginia
State does not have a law explicitly protecting against election disinformation	39 states & D.C.	Alabama Alaska Arizona Arkansas Colorado Delaware D.C. Florida Georgia Idaho



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		Illinois Indiana Iowa Kansas Kentucky Louisiana Maine Massachusetts Michigan Mississippi Nebraska Nevada New Hampshire New Jersey New York North Carolina North Dakota Ohio Oklahoma Oregon Rhode Island South Carolina South Dakota Texas Utah Vermont Washington West Virginia Wisconsin Wyoming
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State-by-State Sources and More Detail

Alabama (0)

- State does not have a law explicitly protecting against election disinformation.

Alaska (0)

- State does not have a law explicitly protecting against election disinformation.

Arizona (0)

- State does not have a law explicitly protecting against election disinformation.

Arkansas (0)

- State does not have a law explicitly protecting against election disinformation.



California (1)

- State has a law explicitly protecting against election disinformation ([West's Ann. Cal. Elect. Code § 18543](#)) (1994).
- Law contains criminal penalties for violation.

Colorado (0)

- State does not have a law explicitly protecting against election disinformation.

Connecticut (1)

- State has a law explicitly protecting against election disinformation ([Conn. Gen. Stat. § 9-135](#)) (2005).

Delaware (0)

- State does not have a law explicitly protecting against election disinformation.

D.C. (0)

- State does not have a law explicitly protecting against election disinformation.

Florida (0)

- State does not have a law explicitly protecting against election disinformation.

Georgia (0)

- State does not have a law explicitly protecting against election disinformation.

Hawaii (1)

- State has a law explicitly protecting against election disinformation ([H.R.S. § 11-391](#)) (2010).
- Law contains provisions for fines as a result of violation.

Idaho (0)

- State does not have a law explicitly protecting against election disinformation.

Illinois (0)

- State does not have a law explicitly protecting against election disinformation.

Indiana (0)

- State does not have a law explicitly protecting against election disinformation.

Iowa (0)

- State does not have a law explicitly protecting against election disinformation.

Kansas (0)

- State does not have a law explicitly protecting against election disinformation.

Kentucky (0)

- State does not have a law explicitly protecting against election disinformation.



Louisiana (0)

- State does not have a law explicitly protecting against election disinformation.

Maine (0)

- State does not have a law explicitly protecting against election disinformation.

Maryland (1)

- State has a law explicitly protecting against election disinformation ([MD Elec. Law § 16-101](#)) (1998).
- Law contains criminal penalties for violation.

Massachusetts (0)

- State does not have a law explicitly protecting against election disinformation.

Michigan (0)

- State does not have a law explicitly protecting against election disinformation.

Minnesota (1)

- State has a law explicitly protecting against election disinformation ([Minn. Stat. Ann. § 204C.035](#)) (2006).
- Law contains criminal penalties for violation.

Mississippi (0)

- State does not have a law explicitly protecting against election disinformation.

Missouri (1)

- State has a law explicitly protecting against election disinformation ([Mo. Rev. Stat § 115.631](#)) (2006).
- Law contains criminal penalties for violation.

Montana (1)

- State has a law explicitly protecting against election disinformation ([MCA 13-35-235](#)) (1989).
- Law contains criminal penalties for violation

Nebraska (0)

- State does not have a law explicitly protecting against election disinformation.

Nevada (0)

- State does not have a law explicitly protecting against election disinformation.

New Hampshire (0)

- State does not have a law explicitly protecting against election disinformation.

New Jersey (0)

- State does not have a law explicitly protecting against election disinformation.



New Mexico (1)

- State has a law explicitly protecting against election disinformation ([N. M. Stat. Ann. § 1-20-9](#)) (2009).
- Law contains criminal penalties for violation.

New York (0)

- State does not have a law explicitly protecting against election disinformation.

North Carolina (0)

- State does not have a law explicitly protecting against election disinformation.

North Dakota (0)

- State does not have a law explicitly protecting against election disinformation.

Ohio (0)

- State does not have a law explicitly protecting against election disinformation.

Oklahoma (0)

- State does not have a law explicitly protecting against election disinformation.

Oregon (0)

- State does not have a law explicitly protecting against election disinformation.

Pennsylvania (1)

- State has a law explicitly protecting against election disinformation ([PA Dept. of State Guidance Oct. 2020](#)).
- Law contains criminal penalties and fines for violation.

Rhode Island (0)

- State does not have a law explicitly protecting against election disinformation.

South Carolina (0)

- State does not have a law explicitly protecting against election disinformation.

South Dakota (0)

- State does not have a law explicitly protecting against election disinformation.

Tennessee (1)

- State has a law explicitly protecting against election disinformation ([Tenn. Code Ann. § 2-19-133](#)) (2020).
- Law contains criminal penalties for violation.

Texas (0)

- State does not have a law explicitly protecting against election disinformation.

Utah (0)

- State does not have a law explicitly protecting against election disinformation.



Vermont (0)

- State does not have a law explicitly protecting against election disinformation.

Virginia (1)

- State has a law explicitly protecting against election disinformation ([VA Code Ann. § 24.2-1005.1](#)) (2021).
- Law contains criminal penalties and a private right of action for violation.

Washington (0)

- State does not have a law explicitly protecting against election disinformation.

West Virginia (0)

- State does not have a law explicitly protecting against election disinformation.

Wisconsin (0)

- State does not have a law explicitly protecting against election disinformation.

Wyoming (0)

- State does not have a law explicitly protecting against election disinformation.