

The real 'deepfake' is Proposition NN

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The Denver Gazette · 26 Aug 2026 · B1 · THE GAZETTE EDITORIAL BOARD

Invoking a new campaign finance law, a state senator has filed a complaint against a "deepfake" video that uses her likeness to slam a tax proposal she helped place on November's ballot. As first reported by CBS Colorado's Shaun Boyd, the libertarian-leaning Independence Institute posted an AI-generated video (<https://www.youtube.com/shorts/blifVoJ05XY>) mocking Democratic state Sen. Cathy Kipp's fumbling attempt to deny her Proposition NN is a tax hike. The measure asks voters to surrender their TABOR refunds and permanently raise the state's spending limit by up to \$4.6 billion, ostensibly for education. That's a whole lot of tax dollars that voters won't be getting back, ever. Kipp, the Senate's president pro tempore, had co-sponsored Senate Bill 26-135, which brought Prop NN to the ballot. The AI video depicts Kipp, who isn't identified, as a grocery clerk, telling a customer she's keeping her \$50 change "to help educate children." "Listen lady, you already gave me the money. I'm keeping it," the AI-generated Kipp says. "We've got a lot of children to educate, so let's keep the line moving." The inspiration was Kipp's April remarks on the Senate floor, where the measure was hatched. "A tax increase is not when you go to the voters, as we are going to the voters, and saying, can we retain revenue," she said. Talk about a distinction without a difference. The bottom line is in fact the same; if NN passes, the state government will get a lot more of the public's money. The Independence Institute watched Kipp "babbling her way around trying to say that this wasn't a tax increase," its president, Jon Caldara (also a Gazette columnist and noted political prankster), told CBS Colorado. "Maybe we should help her," they thought. Kipp wasn't amused. Her complaint — possibly the first under Colorado's deepfake law — alleges the video's AI-content disclaimer is too small for what is required by state law and doesn't say what the statute requires. The disclaimer deadpans: "AI generated content because who gets a human cashier these days?" Intentionally deceptive deepfakes can raise legitimate concerns, of course. But nobody would mistake this video for reality. For one thing, Kipp doesn't work as a grocery clerk. And grocery stores usually don't keep the change. More to the point, the state law, passed by the legislature in 2025, exempts satire, and the institute argues its video concerns a ballot measure, not a candidate, anyway. But filing a complaint is a lot easier than defending Prop NN on its merits.

For all Kipp's insistence to the contrary, the measure and the numbers have the same effect as a tax increase. ^{Note} The nonpartisan Common Sense Institute estimates the measure would cost taxpayers \$851 million in TABOR refunds through 2028.

The claim that the extra cash will be used to help Colorado schools is also a vast overstatement.

While most of the money is earmarked for education for the first 10 years — last spring's enabling legislation for the proposal bore the virtuous title, "State Public K-12 Education Funding" — NN turns lawmakers loose after that to spend the withheld refunds however they wish. ^{Note}

In other words, it's a bait and switch that touts a tax hike for education in the hope more voters embrace it.

NN's backers say it's not a tax hike, but it really is. They say it's all about education, but it's ultimately not.

Sounds like Proposition NN is the real deepfake.