



2024 Legislative Conference • April 17-19, 2024
Sacramento, California

**Workshop: Governing Artificial Intelligence:
Beyond the Headlines, Into the Future of County Government**

Thursday, April 18, 2024 | 10:00AM – 11:30AM
Sacramento SAFE Credit Union Convention Center, Meeting Rooms 9-10-11

- 10:00 AM I. Opening Remarks**
Supervisor Keith Carson, Alameda County
Chair, CSAC Artificial Intelligence Steering Committee
- 10:05 AM II. Beyond the Hype: Unraveling the Myths, Realities, & Governance of Artificial Intelligence**
Brandie Nonnecke, Ph.D.
Director, CITRIS Policy Lab; Associate Research Professor at the Goldman School of Public Policy, UC Berkeley; Host of TechHype
- 10:35 AM III. County Spotlight: How are California counties using AI?**
Moderator: Dr. Brandie Nonnecke, Ph.D.
Panelists:
- Liza Massey, Chief Information Officer, Marin County
 - Kan Wang, Assistant Assessor-County Clerk-Recorder, Riverside County
 - Alfredo Rocha, Acting Human Resources Manager, Countywide Talent Assessment Division, Los Angeles County
- 11:05 AM IV. Information Exchange: AI Across the State**
An open discussion forum for members of the audience to share how their county is using artificial intelligence, share challenges faced, and lessons learned.
- 11:20 AM V. Overview of CSAC AI Steering Committee and Working Group**
Supervisor Keith Carson, Alameda County
Chair, CSAC AI Steering Committee
Jeff Van Wagenen, County Executive Officer, Riverside County
Chair, CSAC Artificial Intelligence Working Group
- 11:30 AM VI. Adjourn**

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Artificial Intelligence Legislation

As of Monday, April 15, 2024

[AB 459](#) ([Kalra, D](#)) Contracts against public policy: personal or professional services: digital replicas.

Current Text: 09/13/2023 - Amended [HTML](#) [PDF](#)

Introduced: 02/06/2023

Last Amended: 09/13/2023

Status: 09/14/2023 - Withdrawn from committee. Re-referred to Com. on RLS.

Location: 09/14/2023 - Senate Rules

Summary: This bill would make it illegal for an employer to require a worker or applicant to agree to something that is known by the employer to be against the law. Also, it would make it illegal to have certain agreements between an employer and employee. This includes things like using a digital version of someone's voice or likeness, or training a generative artificial intelligence system, where the employee does not get paid. This bill must be followed by February 1, 2024, and employers must notify employees in writing if they are not following the law. (Based on 09/13/2023 text)

[AB 1777](#) ([Ting, D](#)) Autonomous vehicles.

Current Text: 03/21/2024 - Amended [HTML](#) [PDF](#)

Introduced: 01/03/2024

Last Amended: 03/21/2024

Status: 04/02/2024 - In committee: Set, first hearing. Hearing canceled at the request of author.

Location: 03/21/2024 - Assembly Transportation

Summary: The existing law allows autonomous vehicles, or self-driving cars, to be tested on public roads if certain conditions are met. This includes having a proper license, meeting specific technology requirements, and approval from the Department of Motor Vehicles (DMV). A new proposed bill adds extra certifications required from the car maker: it has to confirm that the autonomous vehicle can understand and follow geofencing protocols (a virtual perimeter for a real-world geographic area), and a working contact number must be prominently displayed on the car for communication with law enforcement and emergency responders. If the autonomous vehicle breaks traffic laws and there's no human driver to blame, the manufacturer would be held responsible. Additionally, the manufacturer must also submit quarterly reports that summarize the activities of their autonomous vehicles. If any regulation is violated, the DMV can impose rules restricting the testing of these vehicles - limiting where, when, and how fast they can be driven. The DMV would notify the manufacturer about any imposed restrictions, explaining the reasons and backing evidence behind the decision. (Based on 03/21/2024 text)

[AB 1791](#) ([Weber, D](#)) Digital content provenance.

Current Text: 03/19/2024 - Amended [HTML](#) [PDF](#)

Introduced: 01/04/2024

Last Amended: 03/19/2024

Status: 04/01/2024 - In committee: Hearing postponed by committee.

Location: 03/18/2024 - Assembly Privacy and Consumer Protection

Summary: This passage refers to current policies that require the Secretary of Government Operations to create a plan for developing standards and technologies for state departments to verify the origin of digital content, as well as investigating any potential obstacles. Additionally, the Secretary is required to evaluate the potential legal implications of technologies like digital content forgery and deepfakes, as well as technologies that allow for the public verification of digital content. This bill would prohibit social media platforms from removing the proof of origin from any content posted by users on their platform. (Based on 03/19/2024 text)

[AB 1824](#) ([Valencia, D](#)) California Consumer Privacy Act of 2018: opt-out right: mergers.

Current Text: 03/19/2024 - Amended [HTML](#) [PDF](#)

Introduced: 01/11/2024

Last Amended: 03/19/2024

Status: 04/03/2024 - From committee: Do pass and re-refer to Com. on APPR. with recommendation: To Consent Calendar. (Ayes 11. Noes 0.) (April 2). Re-referred to Com. on APPR.

Location: 04/02/2024 - Assembly Appropriations

Summary: The California Consumer Privacy Act (CCPA) was passed in 2018 and gives consumers certain rights regarding their personal information. These rights include the ability to tell a business not to sell or share their personal information with third parties. In 2020, Proposition 24, also known as the California Privacy Rights Act, was passed by voters and made changes to the CCPA. Under this new law, if a business transfers personal information to another business as part of a merger or acquisition, the receiving business must comply with the consumer's request to not have their information sold or shared. This law aligns with the intent of the California Privacy Rights Act. (Based on 03/19/2024 text)

[AB 1831](#) **(Berman, D) Crimes: child pornography.**

Current Text: 03/21/2024 - Amended [HTML PDF](#)

Introduced: 01/12/2024

Last Amended: 03/21/2024

Status: 04/10/2024 - Coauthors revised. From committee: Do pass and re-refer to Com. on P. & C.P. (Ayes 8. Noes 0.) (April 9). Re-referred to Com. on P. & C.P.

Location: 04/10/2024 - Assembly Privacy and Consumer Protection

Summary: This law prohibits various actions related to the production, distribution, or possession of images or videos that show a person under 18 years of age engaging in or pretending to engage in sexual acts. It also prohibits adults from making such material for money or sharing it with a minor. Additionally, it is illegal to involve a minor in the making of such material, either through employment or permission from a parent or guardian. If these crimes are committed with government property, the punishment is more severe. This bill would expand the law to include material generated by artificial intelligence. This means that using AI to create illegal sexual material would be a crime. As a result, this bill would require local agencies and school districts to enforce this law. However, the state is not required to reimburse these agencies for any associated costs according to the California Constitution. (Based on 03/21/2024 text)

[AB 1836](#) **(Bauer-Kahan, D) Intellectual property: use of likeness: digital replica.**

Current Text: 01/16/2024 - Introduced [HTML PDF](#)

Introduced: 01/16/2024

Status: 02/12/2024 - Referred to Coms. on P. & C.P. and JUD.

Location: 02/12/2024 - Assembly Privacy and Consumer Protection

Summary: In simpler terms, the current law protects the creators of original works and inventions from others using their ideas without permission. This new bill aims to make sure that all types of intellectual property are properly protected. It also gives the heirs or representatives of a deceased person the right to sue for damages if someone uses that person's name, voice, or image without permission. However, there are exceptions for certain types of entertainment, like plays and movies. This bill would remove those exceptions, allowing heirs to sue for unauthorized use of a deceased person's likeness in any form of digital media. (Based on 01/16/2024 text)

[AB 1872](#) **(Sanchez, R) Crimes: extortion.**

Current Text: 01/22/2024 - Introduced [HTML PDF](#)

Introduced: 01/22/2024

Status: 04/10/2024 - From committee: Do pass and re-refer to Com. on APPR. (Ayes 7. Noes 0.) (April 9). Re-referred to Com. on APPR.

Location: 04/10/2024 - Assembly Appropriations

Summary: This proposed bill would expand the definition of extortion by including situations where individuals use the threat of distributing or creating computer-generated images or videos of someone as a means of obtaining property or an official act. This may induce fear in the threatened person and would be considered extortion under the law. This bill, if passed, would also impose a requirement for local programs to address this crime, as mandated by the California Constitution. However, there is a provision in place to ensure that the state does not have to reimburse local agencies or school districts for any associated costs. (Based on 01/22/2024 text)

[AB 1873](#) **(Sanchez, R) Crimes: sexual exploitation of a child.**

Current Text: 01/22/2024 - Introduced [HTML PDF](#)

Introduced: 01/22/2024

Status: 04/09/2024 - In committee: Set, first hearing. Hearing canceled at the request of author.

Location: 02/20/2024 - Assembly Public Safety

Summary: Under the current law, it is considered a crime to knowingly create, duplicate, or exchange any form of media that depicts a person under the age of 18 engaged in sexual conduct. This includes films, photos, videos, and computer-generated images. Violators can be charged with either a misdemeanor or a felony. This new bill would also include media created using artificial intelligence as an offense and would impose a state-mandated local program. The state may reimburse certain costs for local agencies and school districts, however, no reimbursement is required for this particular bill. (Based on 01/22/2024 text)

[AB 2013](#) ([Irwin, D](#)) **Artificial intelligence: training data transparency.**

Current Text: 01/31/2024 - Introduced [HTML](#) [PDF](#)

Introduced: 01/31/2024

Status: 02/12/2024 - Referred to Com. on P. & C.P.

Location: 02/12/2024 - Assembly Privacy and Consumer Protection

Summary: This law states that the Department of Technology, along with other agencies, must create a list of high-risk automated decision systems by September 1, 2024 that have been proposed, developed, or purchased by state agencies. This bill further states that by January 1, 2026, any developer who offers an artificial intelligence system or service to Californians must post documentation on their website about the data used to train the system or service. This applies even if the use of the system or service is free. (Based on 01/31/2024 text)

[AB 2058](#) ([Weber, D](#)) **Automated decision systems.**

Current Text: 03/18/2024 - Amended [HTML](#) [PDF](#)

Introduced: 02/01/2024

Last Amended: 03/18/2024

Status: 04/10/2024 - From committee: Do pass and re-refer to Com. on APPR. (Ayes 15. Noes 0.) (April 9). Re-referred to Com. on APPR.

Location: 04/09/2024 - Assembly Appropriations

Summary: The existing Sherman Food, Drug, and Cosmetic Law, managed by the State Department of Public Health, regulates the packaging, advertising, and labeling of drugs and devices. Violation of this law is considered a criminal act. The law allows the department to establish performance standards for devices for assurance of safety and effectiveness and governs the labeling for appropriate usage. A proposed bill mandates that medical devices should have clear disclosures regarding any known limitations of the device based on certain patient characteristics. These limitations include but are not limited to age, ethnicity, gender, disability, race, or color. This widening of law's scope would enforce a state-mandated local program. (Based on 03/18/2024 text)

[AB 2286](#) ([Aquiari-Curry, D](#)) **Vehicles: autonomous vehicles.**

Current Text: 04/08/2024 - Amended [HTML](#) [PDF](#)

Introduced: 02/08/2024

Last Amended: 04/08/2024

Status: 04/09/2024 - Re-referred to Com. on TRANS.

Location: 03/18/2024 - Assembly Transportation

Summary: This bill outlines guidelines for the use and testing of autonomous vehicles, which are vehicles that can operate on their own without a driver. Current laws allow for testing on public roads as long as the driver has the proper license and meets certain requirements. However, no operations are allowed until the manufacturer submits an application to the Department of Motor Vehicles and it is approved. The bill also requires manufacturers to report any collisions involving their vehicles weighing over 10001 pounds within 10 days and to provide information on the deactivation of the autonomous mode. It also prohibits the use of these vehicles on public roads for testing, delivering goods, or transporting passengers without a human safety operator present. By 2030, the Department of Motor Vehicles will submit a report evaluating the technology's impact on public safety and employment, gathering information from other state agencies as needed. (Based on 04/08/2024 text)

[AB 2355](#) ([Carrillo, Wendy, D](#)) **Political advertisements: artificial intelligence.**

Current Text: 04/11/2024 - Amended [HTML](#) [PDF](#)

Introduced: 02/12/2024

Last Amended: 04/11/2024

Status: 04/11/2024 - Read second time and amended.

Location: 04/10/2024 - Assembly Privacy and Consumer Protection

Summary: This law states that any paid political advertisement that is included or distributed in a newspaper and pertains to an election or a candidate for state or local office must include the words "Paid Political Advertisement" until January 1, 2027. Additionally, it prohibits any person, committee, or organization from distributing any audio or visual media that is purposely deceitful or intended to harm a candidate's reputation. The bill also requires that any advertisement which has been created or distributed using artificial intelligence must include a disclosure stating so. This includes any images, audio, or video that have been altered substantially by artificial intelligence. Any registered voter may take legal action in the superior court to stop the distribution of any political advertisement that violates these requirements. (Based on 04/11/2024 text)

[AB 2512](#) ([Patterson, Jim, R](#)) **Telecommunications: automatic dialing-announcing devices: artificial voices.**

Current Text: 02/26/2024 - Amended [HTML](#) [PDF](#)

Introduced: 02/13/2024

Last Amended: 02/26/2024

Status: 02/27/2024 - Re-referred to Com. on C. & C.

Location: 02/26/2024 - Assembly Communications and Conveyance

Summary: Under current laws, the Public Utilities Commission has the authority to regulate and oversee the use of automatic dialing-announcing devices, which are devices that can store phone numbers and automatically call them, and even play pre-recorded messages. This new bill would expand the definition of these devices to include calls made using artificial voices. Any violation of the commission's regulations related to this bill could result in criminal charges, therefore leading to a state-mandated program. According to the California Constitution, the state is required to cover certain costs for local agencies and schools, but this bill specifies that reimbursement is not necessary for a particular reason. (Based on 02/26/2024 text)

[AB 2602](#) **(Kalra, D) Contracts against public policy: personal or professional services: digital replicas.**

Current Text: 04/01/2024 - Amended [HTML PDF](#)

Introduced: 02/14/2024

Last Amended: 04/01/2024

Status: 04/04/2024 - From committee: Do pass and re-refer to Com. on P. & C.P. (Ayes 5. Noes 0.) (April 3). Re-referred to Com. on P. & C.P.

Location: 04/04/2024 - Assembly Privacy and Consumer Protection

Summary: Current law states that employers cannot make employees or job applicants sign agreements that include illegal terms. Certain agreements between employers and employees are also considered against public policy, such as those that affect an employee's participation in a labor union or the protection of state laws in the workplace. It is the responsibility of the Division of Labor Standards Enforcement, overseen by the Labor Commissioner, to enforce state labor laws. This new bill would further protect individuals by making it illegal and unacceptable to include provisions in contracts that allow the use of their voice or image in place of their actual work. This bill applies to all current and future contracts, and those who have already agreed to such provisions must be notified in writing that they are unenforceable. (Based on 04/01/2024 text)

[AB 2652](#) **(Muratsuchi, D) State Department of Education: artificial intelligence working group.**

Current Text: 04/08/2024 - Amended [HTML PDF](#)

Introduced: 02/14/2024

Last Amended: 04/08/2024

Status: 04/09/2024 - Re-referred to Com. on P. & C.P.

Location: 04/04/2024 - Assembly Privacy and Consumer Protection

Summary: This law requires the head of the State Department of Education, with the advice of the State Board of Education, to form a group that will focus on the use of artificial intelligence in public schools. This group will create guidelines for how schools can use artificial intelligence safely, and they will also develop a policy that outlines how schools can use it in a way that benefits students and teachers. By September 1, 2026, the group will share their recommendations and findings with the relevant state committees and offices. However, the law can only be put into action if the Legislature provides the necessary funds. (Based on 04/08/2024 text)

[AB 2655](#) **(Berman, D) Defending Democracy from Deepfake Deception Act of 2024.**

Current Text: 04/01/2024 - Amended [HTML PDF](#)

Introduced: 02/14/2024

Last Amended: 04/01/2024

Status: 04/10/2024 - Coauthors revised. From committee: Do pass and re-refer to Com. on JUD. (Ayes 6. Noes 1.) (April 10). Re-referred to Com. on JUD.

Location: 04/10/2024 - Assembly Judiciary

Summary: The current legislation regulates election campaign conduct, including candidate endorsements, campaign financing, fair practices, and defamation laws. Until January 1, 2027, it also bans the distribution of deceptive audiovisual content aimed at damaging a candidate's reputation or deceiving voters, particularly 60 days prior to an election. Legal cases associated with these issues get prioritized in court. The proposed "Defending Democracy from Deepfake Deception Act of 2024" seeks to prevent online spread of manipulated media or misinformation intended to manipulate voter behaviour. Large online platforms would be required to block or label deceptive digital content linked to elections during specific periods before and after an election. The proposed legislation necessitates that online platforms provide a process for California residents to report non-compliant content. Californian residents, the Attorney General, and district or city attorneys would be authorized to pursue legal action against non-compliant platforms. In court proceedings, such cases would receive priority. However, the Act's provisions would not apply to regularly published online news outlets and periodicals of general interest, provided they meet certain disclosure requirements. Additionally, satirical or parodical content is also exempted from this Act. (Based on 04/01/2024 text)

[AB 2691](#) **(Quirk-Silva, D) Crimes: sexual harassment.**

Current Text: 03/21/2024 - Amended [HTML](#) [PDF](#)

Introduced: 02/14/2024

Last Amended: 03/21/2024

Status: 04/01/2024 - Re-referred to Com. on PUB. S.

Location: 03/21/2024 - Assembly Public Safety

Summary: This text describes a current law that defines certain behaviors as disorderly conduct and prohibits them. This includes intentionally sharing private images of another person without their consent, which can cause serious emotional distress. This behavior is punishable as a misdemeanor. This new bill would make it a crime of sexual harassment to intentionally share intimate digital depictions of someone without their permission. The bill defines this as digitally altered images or videos depicting identifiable individuals engaged in sexual conduct. Those found guilty could face up to one year in jail or a longer sentence for more serious offenses. This bill also requires local agencies to enforce this new crime. However, there is no need for the state to reimburse local agencies for any associated costs. (Based on 03/21/2024 text)

[AB 2811](#) ([Lowenthal, D](#)) **Attorneys: court filings: artificial intelligence.**

Current Text: 03/21/2024 - Amended [HTML](#) [PDF](#)

Introduced: 02/15/2024

Last Amended: 03/21/2024

Status: 04/01/2024 - Re-referred to Com. on JUD. In committee: Set, first hearing. Hearing canceled at the request of author.

Location: 03/21/2024 - Assembly Judiciary

Summary: There is an existing law called the State Bar Act that governs the behavior of attorneys. This law states that attorneys have a duty to uphold the Constitution and laws of the United States and the state they practice in. They must also keep their client's information confidential and protect their secrets at all times. A new bill states that attorneys must now also confirm if any artificial intelligence was used in creating the documents they submit to state or federal courts. They must keep an affidavit verifying this for 7 years, and if requested by a court, they must submit it as long as it has not yet been 7 years. (Based on 03/21/2024 text)

[AB 2839](#) ([Pellerin, D](#)) **Elections: deceptive media in advertisements.**

Current Text: 04/11/2024 - Amended [HTML](#) [PDF](#)

Introduced: 02/15/2024

Last Amended: 04/11/2024

Status: 04/11/2024 - Read second time and amended.

Location: 04/10/2024 - Assembly Judiciary

Summary: Current law forbids the distribution of misleading media about a candidate within 60 days of an election, unless it includes a disclosure stating that it has been altered. This law allows candidates to take legal action if their image or voice has been used without their consent. This new bill would also prohibit the distribution of altered media within 120 days of an election and allow for legal action to be taken by the candidate or election officials. The court must prioritize these cases and give them special attention. (Based on 04/11/2024 text)

[AB 2885](#) ([Bauer-Kahan, D](#)) **Artificial intelligence.**

Current Text: 04/01/2024 - Amended [HTML](#) [PDF](#)

Introduced: 02/15/2024

Last Amended: 04/01/2024

Status: 04/02/2024 - Re-referred to Com. on P. & C.P.

Location: 03/21/2024 - Assembly Privacy and Consumer Protection

Summary: The law currently establishes the Government Operations Agency, which is led by the Secretary of Government Operations. One of the Secretary's responsibilities is to develop a plan to evaluate the impact of deepfakes, which are audio or visual content created or altered by artificial intelligence to make it seem authentic. This plan includes assessing how this affects state government, California-based businesses, and residents. Within the Government Operations Agency, there is also the Department of Technology, headed by the Director of Technology. The Department must conduct an inventory of high-risk automated decision systems. These are processes that use artificial intelligence to make decisions that would otherwise be made by humans and have a significant impact on individuals. Additionally, local agencies must provide information to the public about any economic development subsidies they approve and track the use of automation and artificial intelligence. The California Online Community College, supervised by the Board of Governors of the California Community Colleges, aims to provide accessible online courses and programs focused on career-oriented credentials. They are also required to develop a unit focused on using technology, including artificial intelligence, to support students. The Plastic Pollution Prevention and Packaging Producer Responsibility Act administers requirements for manufacturers to achieve recycling rates for certain packaging. This law also requires a needs assessment that includes evaluating the use of advanced technologies in recycling, including artificial intelligence. Finally, social media companies must submit a report on their terms of service every six months, including information on how their employees, artificial intelligence, and other partners handle flagged content on their platforms. A proposed bill would

define artificial intelligence as a system designed to generate outputs that can impact physical or virtual environments based on input. (Based on 04/01/2024 text)

[AB 2905](#) **(Low, D) Telecommunications: automatic dialing-announcing devices: artificial voices.**

Current Text: 03/21/2024 - Amended [HTML PDF](#)

Introduced: 02/15/2024

Last Amended: 03/21/2024

Status: 04/11/2024 - From committee: Amend, and do pass as amended and re-refer to Com. on P. & C.P. with recommendation: To Consent Calendar. (Ayes 11. Noes 0.) (April 10).

Location: 04/10/2024 - Assembly Privacy and Consumer Protection

Summary: This text discusses a currently existing law that allows a governing body, the Public Utilities Commission, to oversee and regulate the connection of automatic dialing-announcing devices to phone lines. An automatic dialing-announcing device is any equipment that can store or generate phone numbers and play a pre-recorded message when the number is called. This law sets certain guidelines for the use of these devices. This proposed bill would broaden the definition of automatic dialing-announcing devices to also include calls made using recorded or artificial voices. Anyone who violates the rules set by the commission is committing a crime under existing law. This bill would make it a state-mandated program for both state and local agencies to follow these guidelines. The California Constitution requires the state to reimburse local agencies for certain expenses mandated by the state, but this bill specifies that no reimbursement is necessary for a specific reason. (Based on 03/21/2024 text)

[AB 2930](#) **(Bauer-Kahan, D) Automated decision tools.**

Current Text: 02/15/2024 - Introduced [HTML PDF](#)

Introduced: 02/15/2024

Status: 03/21/2024 - Referred to Coms. on P. & C.P. and JUD.

Location: 03/21/2024 - Assembly Privacy and Consumer Protection

Summary: The Unruh Civil Rights Act and the California Fair Employment and Housing Act are laws that protect the rights of all individuals in the state of California, regardless of their gender, race, religion, disability, etc. The new bill, if passed, would require companies to assess and report on the impact of any automated decision-making tools they use. The bill also prohibits discrimination based on factors such as race, ethnicity, and disability in the use of automated decision tools. It allows public attorneys to take legal action against companies that violate these laws and provides a process for resolving disputes. This bill has been carefully thought out and takes into consideration the protection of individual rights. It also meets the requirements set by the California Constitution. No additional costs would be incurred by the state in implementing this bill. (Based on 02/15/2024 text)

[AB 3030](#) **(Calderon, D) Health care services: artificial intelligence.**

Current Text: 04/11/2024 - Amended [HTML PDF](#)

Introduced: 02/16/2024

Last Amended: 04/11/2024

Status: 04/11/2024 - Read second time and amended.

Location: 04/09/2024 - Assembly Privacy and Consumer Protection

Summary: According to existing law, the State Department of Public Health is responsible for licensing and regulating health facilities and clinics. It is considered a crime to violate these regulations. This proposed bill would require any entity, such as a health facility, clinic, physician's office, or group practice, that uses a generative artificial intelligence tool to communicate with patients, to include a disclaimer stating that the communication was generated by artificial intelligence. The bill also requires clear instructions for patients to access direct communication with a health care provider. It should be noted that failure to comply with these provisions will not result in disciplinary action related to licensure or certification. (Based on 04/11/2024 text)

[AB 3050](#) **(Low, D) Artificial intelligence.**

Current Text: 02/16/2024 - Introduced [HTML PDF](#)

Introduced: 02/16/2024

Status: 03/21/2024 - Referred to Coms. on P. & C.P. and JUD.

Location: 03/21/2024 - Assembly Privacy and Consumer Protection

Summary: Current law requires the Secretary of Government Operations to create a plan to examine the feasibility and challenges of establishing standards for state departments to verify the authenticity of digital content. This bill would also require the Department of Technology to develop regulations for watermark standards to be included in AI-generated materials. This standard will ensure that AI-generated materials include information about their source. The bill also prohibits creating AI-generated materials without a watermark that meets these standards. Under current law, using someone's name, voice, or likeness without their permission is illegal and the person responsible is liable for damages. This bill extends that to include AI-generated materials and imposes a penalty of \$250-\$500 for violating this law. (Based on 02/16/2024 text)

[AB 3058](#) **(Low, D) California Unconditional Benefit Program: employment replaced by automation or artificial intelligence: pilot program.**

Current Text: 03/21/2024 - Amended [HTML PDF](#)

Introduced: 02/16/2024

Last Amended: 03/21/2024

Status: 04/08/2024 - In committee: Set, first hearing. Hearing canceled at the request of author.

Location: 03/21/2024 - Assembly Privacy and Consumer Protection

Summary: This text describes a proposed program called the California Unconditional Benefit Income (CalUBI) Pilot Program, which would be run by the Employment Development Department. It would provide a monthly payment of \$1000 for a period of 12 months to eligible individuals who are unemployed due to automation or artificial intelligence. The program will be in effect until January 1, 2029 and the department has until January 1, 2026 to implement regulations. Any income received from this program will not be taxed or affect eligibility for other state-funded programs. A report on the program's performance will be submitted to the Legislature by December 31, 2028. This bill also states that public funds will be used for this program. (Based on 03/21/2024 text)

[AB 3061](#) **(Haney, D) Vehicles: autonomous vehicle incident reporting.**

Current Text: 02/16/2024 - Introduced [HTML PDF](#)

Introduced: 02/16/2024

Status: 03/18/2024 - Referred to Coms. on TRANS. and C. & C.

Location: 03/18/2024 - Assembly Transportation

Summary: Current law allows for the operation of self-driving cars on public roads for testing purposes by a driver with the appropriate license and meeting certain requirements. However, using autonomous vehicles on public roads without prior approval from the Department of Motor Vehicles (DMV) is prohibited. The DMV must create regulations and standards to ensure the safe use of self-driving cars, including testing equipment. Starting in 2025, this bill requires manufacturers of self-driving cars to report any incidents, including collisions, traffic violations, or any harm to passengers or safety drivers, to the DMV. The report must include certain information and be submitted within a specific timeframe set by the DMV. The DMV, in collaboration with other relevant departments, will create forms for incident reporting and publish all reports on their website. Fines will be imposed for violations and manufacturers may have their testing and deployment permits suspended or revoked during investigations. Members of the public or public entities with evidence of incidents may also submit reports. This bill aims to ensure the safe and responsible use of autonomous vehicles. (Based on 02/16/2024 text)

[AB 3095](#) **(Waldron, R) Artificial intelligence.**

Current Text: 02/16/2024 - Introduced [HTML PDF](#)

Introduced: 02/16/2024

Status: 02/17/2024 - From printer. May be heard in committee March 18.

Location: 02/16/2024 - Assembly PRINT

Summary: Existing law has created the Department of Technology, which is overseen by the Director of Technolog. The director, along with the department, has the authority to make and implement policies regarding the state's use of information technology. The purpose of this bill is for the Legislature to pass laws specifically concerning artificial intelligence. (Based on 02/16/2024 text)

[AB 3211](#) **(Wicks, D) California Provenance, Authenticity and Watermarking Standards.**

Current Text: 03/21/2024 - Amended [HTML PDF](#)

Introduced: 02/16/2024

Last Amended: 03/21/2024

Status: 04/01/2024 - Re-referred to Com. on P. & C.P.

Location: 03/21/2024 - Assembly Privacy and Consumer Protection

Summary: Current law mandates that the Secretary of Government Operations creates a coordinated plan to research the possibility and challenges of setting standards and technologies for state departments to identify the source of digital content. To fulfill this plan, the Secretary must evaluate the impact of deepfakes, defined as artificial media that has been manipulated, starting on February 1, 2025. This bill, known as the California Provenance Authenticity and Watermarking Standards Act, would also require providers of generative artificial intelligence (AI) systems, defined as programs that create media, to take actions to disclose the source of the content they produce by placing unnoticeable and permanent indicators in the content. These providers must also report any vulnerabilities or failures in their system to the Department of Technology and other providers. Starting on March 1, 2025, large online platforms must disclose the source of content to users and use advanced techniques to detect and label any false content uploaded by individual or networked users. (Based on 03/21/2024 text)

[SB 313](#) **(Dodd, D) Department of Technology: Office of Artificial Intelligence: state agency public interface: use of AI.**

Current Text: 04/10/2023 - Amended [HTML](#) [PDF](#)

Introduced: 02/06/2023

Last Amended: 04/10/2023

Status: 02/01/2024 - Returned to Secretary of Senate pursuant to Joint Rule 56.

Location: 01/18/2024 - Senate DEAD

Summary: The California AI-ware Act is a bill that, if enacted, would create the Office of Artificial Intelligence within the Department of Technology. This office would have the power to make sure that automated systems are designed and deployed in a way that respects people's privacy and civil liberties, and minimizes bias. There are also existing laws that require state agencies that collect user information online and use generative artificial intelligence technology to communicate with people to give them notice of the AI they are interacting with, and provide instructions on how they can talk to a real person from the agency. (Based on 04/10/2023 text)

[SB 892](#)

(Padilla, D) Public contracts: automated decision systems: AI risk management standards.

Current Text: 04/10/2024 - Amended [HTML](#) [PDF](#)

Introduced: 01/03/2024

Last Amended: 04/10/2024

Status: 04/10/2024 - Read second time and amended. Re-referred to Com. on JUD.

Location: 04/09/2024 - Senate Judiciary

Summary: According to existing laws, contracts for the purchase of information technology goods and services must be made or supervised by the Department of Technology if they are related to information technology projects. Contracts for the acquisition of other information technology goods or services must be made or supervised by the Department of General Services, unless otherwise specified. This bill proposes that the Department of Technology create regulations to establish a standard for managing risks associated with artificial intelligence, as outlined in specific publications. This standard would include a thorough risk assessment for acquiring automated decision systems, methods for implementing risk controls, and procedures for monitoring adverse incidents. The Department of Technology must work with designated organizations to develop this standard. If approved, this bill would prohibit state agencies from entering into contracts for automated decision systems or services that use them unless the contract includes a completed risk assessment, adherence to appropriate risk controls, and procedures for adverse incident monitoring. (Based on 04/10/2024 text)

[SB 893](#)

(Padilla, D) California Artificial Intelligence Research Hub.

Current Text: 03/19/2024 - Amended [HTML](#) [PDF](#)

Introduced: 01/03/2024

Last Amended: 03/19/2024

Status: 04/09/2024 - Set for hearing April 16 in JUD. pending receipt. From committee: Do pass and re-refer to Com. on JUD. (Ayes 14. Noes 0.) (April 9). Re-referred to Com. on JUD.

Location: 04/09/2024 - Senate Judiciary

Summary: Existing law mandates the Secretary of Government Operations to devise a unified plan to contemplate the feasibility and potential dilemmas of formulating standards and technologies that state departments can use to affirm digital content authenticity. The law highlights the requirement for the Secretary to assess, among other elements, the influence of the widespread presence of deepfakes, which are deceptively realistic audio or visual content generated or manipulated by artificial intelligence without the depicted person's consent. Furthermore, the proposed bill instructs the Government Operations Agency, the Governor's Office of Business and Economic Development, and the Department of Technology to jointly establish the California Artificial Intelligence Research Hub (hub) in the Government Operations Agency. This hub would serve as a central entity to promote collaboration between government bodies, academic institutes, and private sector partners. The objective of this hub is to promote may it involves artificial intelligence research and development that is designed to maximize the potential benefits of the technology to the public while ensuring privacy, enhancing security, and addressing potential societal risks and harms. (Based on 03/19/2024 text)

[SB 896](#)

(Dodd, D) Artificial Intelligence Accountability Act.

Current Text: 04/10/2024 - Amended [HTML](#) [PDF](#)

Introduced: 01/03/2024

Last Amended: 04/10/2024

Status: 04/10/2024 - Read second time and amended. Re-referred to Com. on JUD.

Location: 04/09/2024 - Senate Judiciary

Summary: Current legislation mandates that the Secretary of Government Operations creates a coordinated strategy to investigate the feasibility and challenges of establishing standards and technologies for state departments to determine the origin of digital content. This includes assessing the impact of "deepfake" media, which is falsified audio or visual content created with artificial intelligence to appear authentic, on state government, California-based businesses, and residents. This proposed bill, the Artificial Intelligence Accountability Act, would additionally require the Government Operations Agency, Department of Technology, and Office of Data and Innovation to produce a report on the benefits and risks of using generative artificial intelligence, with updates as needed. It would also mandate these agencies to conduct a

joint analysis of the potential harm to California's critical energy infrastructure caused by generative artificial intelligence. Furthermore, any state agency or department utilizing generative artificial intelligence must clearly disclose to individuals interacting with it, either online or by phone, that they are communicating with AI. Likewise, any automated decision making system used by a state agency or department must be evaluated for potential risks before being implemented. (Based on 04/10/2024 text)

[SB 915](#) **(Cortese, D) Local government: autonomous vehicles.**

Current Text: 04/11/2024 - Amended [HTML](#) [PDF](#)

Introduced: 01/09/2024

Last Amended: 04/11/2024

Status: 04/11/2024 - From committee with author's amendments. Read second time and amended. Re-referred to Com. on L. GOV.

Location: 02/21/2024 - Senate Local Government

Summary: Existing law allows for the operation of driver-operated autonomous vehicles on public roads for testing purposes, as long as certain requirements are met. However, law prohibits the operation of fully autonomous vehicles on public roads until the manufacturer has submitted an application to the Department of Motor Vehicles for approval and has met all safety and technological requirements. Additionally, starting from January 1, 2030, new autonomous vehicles that are not zero-emission are prohibited from operating, unless authorized by federal law. This law also allows for local regulation of transportation services, such as taxicab companies, and requires cities and counties to adopt ordinances or resolutions for permitting programs for taxicab drivers. This bill would give authority to cities, counties, or city and counties where autonomous vehicles have been approved to operate, to enact ordinances for their regulation. These ordinances must include policies for entry into the business of providing autonomous vehicle services, such as a permitting program with reasonable limits and restrictions. Cities and counties are also allowed to charge fees to cover the costs of implementing these ordinances and require permitted autonomous vehicle services to meet various obligations. The bill also permits cities, counties, and city and counties to enter into agreements with other jurisdictions for the purpose of regulating or administering autonomous vehicle services within their boundaries. This bill is necessary to address a matter of statewide concern and applies to all cities, including charter cities. (Based on 04/11/2024 text)

[SB 926](#) **(Wahab, D) Crimes: distribution of intimate images.**

Current Text: 03/20/2024 - Amended [HTML](#) [PDF](#)

Introduced: 01/12/2024

Last Amended: 03/20/2024

Status: 04/05/2024 - Set for hearing April 23.

Location: 04/03/2024 - Senate Public Safety

Summary: The current law recognizes certain behaviors as disorderly conduct, punishable by a misdemeanor. This includes intentionally distributing or causing the distribution of an individual's intimate image, with mutual understanding that the image would stay private. Such action can result in severe emotional distress to the individual depicted in the image. The proposed bill extends this misdemeanor to include intentionally distributing or causing the distribution of images, either created or altered digitally, showing intimate parts of another identifiable person or showing this person involved in sexual activities, without their consent and causing them severe emotional distress. The California Constitution mandates the state to compensate local agencies and school districts for certain costs enforced by the state, though procedures exist for executing that reimbursement. The proposed bill stipulates that there's no requirement for reimbursement for a particular reason. (Based on 03/20/2024 text)

[SB 933](#) **(Wahab, D) Crimes: child pornography.**

Current Text: 01/16/2024 - Introduced [HTML](#) [PDF](#)

Introduced: 01/16/2024

Status: 03/19/2024 - From committee: Do pass and re-refer to Com. on APPR with recommendation: To consent calendar. (Ayes 5. Noes 0.) (March 19). Re-referred to Com. on APPR.

Location: 03/19/2024 - Senate Appropriations

Summary: This law says it is illegal to have any materials or images that show a person under 18 years old in sexual situations, such as videos, pictures, or computer-generated images. This bill would make it a crime to have images made using artificial intelligence as well. Because this expands the scope of the crime, it will require local agencies and school districts to comply with it. According to the California Constitution, the state has to cover certain costs for local agencies and school districts, but this bill says there will be no reimbursement for this specific reason. (Based on 01/16/2024 text)

[SB 942](#) **(Becker, D) California AI Transparency Act.**

Current Text: 03/20/2024 - Amended [HTML](#) [PDF](#)

Introduced: 01/17/2024

Last Amended: 03/20/2024

Status: 04/05/2024 - Set for hearing April 16.

Location: 04/03/2024 - Senate Judiciary

Summary: The California AI Transparency Act, if passed, would require the Secretary of Government Operations to create a coordinated plan to investigate the feasibility and possible obstacles of creating standards and technologies for state departments to determine the origins of digital content. This plan would also evaluate the impact of deepfake technology on state government, California-based businesses, and residents. This act would also require providers to create a publicly accessible AI detection tool, which would allow users to query the provider about the use of generative AI systems in text, image, video, audio, or multimedia content. The tool must also be made available through the provider's website and mobile application. In addition, providers would be required to disclose when content has been generated by AI and include a clear and noticeable notice on the content itself. This disclosure must be easy to understand and cannot be contradicted or hidden within the communication. The act would establish a Generative AI Registry Fund, with funds made available upon legislative appropriation, to be used by the Department of Technology for the purposes of the act. Providers would be required to register with the department and provide a URL to their AI detection tool. (Based on 03/20/2024 text)

[SB 970](#) (Ashby, D) Artificial intelligence technology.

Current Text: 04/11/2024 - Amended [HTML](#) [PDF](#)

Introduced: 01/25/2024

Last Amended: 04/11/2024

Status: 04/11/2024 - Read second time and amended. Re-referred to Com. on PUB S.

Location: 04/09/2024 - Senate Public Safety

Summary: Current law forbids fraudulently impersonating another person with intent to deceive. The proposed legislation further defines terms related to artificial intelligence and synthetic content, declaring that use of such content can be considered false impersonation for legal purposes. Existing law also provides a civil course of action against those who unjustly use another person's identifiable features for certain purposes without consent. The bill elaborates that a synthetic voice or image, which a reasonable individual would deem real, is taken as the true voice or image of the person portrayed. Current legal regulations prescribe proper procedures for authenticating visual and auditory evidence presented in court. This legislation mandates that the Judicial Council review the implications of artificial intelligence on evidence presentation in court proceedings by January 1, 2026, and formulate necessary court rules to aid in evaluating claims that proposed evidence has been influenced or generated by artificial intelligence. (Based on 04/11/2024 text)

[SB 1047](#) (Wiener, D) Safe and Secure Innovation for Frontier Artificial Intelligence Systems Act.

Current Text: 04/08/2024 - Amended [HTML](#) [PDF](#)

Introduced: 02/07/2024

Last Amended: 04/08/2024

Status: 04/08/2024 - Read second time and amended. Re-referred to Com. on G.O.

Location: 04/02/2024 - Senate Governmental Organization

Summary: This law sets out requirements for the Secretary of Government Operations to create a plan for state departments to investigate digital content origins, particularly in regards to the emergence of deepfakes - audio or visual content that has been manipulated by artificial intelligence to appear authentic but is actually not. It also establishes the Department of Technology within the Government Operations Agency to identify and assess high-risk information technology services and systems in state government. The Safe and Secure Innovation for Frontier Artificial Intelligence Models Act is also enacted to require developers of artificial intelligence models to determine safety before training, comply with safety measures, and report any incidents. Violations of these requirements may result in civil penalties. The bill also creates the Frontier Model Division within the Department of Technology to review reports and publicly release findings, and to establish a fund for related fees. Additionally, the Department of Technology is required to commission consultants to create a public cloud computing cluster for research on safe deployment of large-scale artificial intelligence. No reimbursement is required for this act. (Based on 04/08/2024 text)

[SB 1120](#) (Becker, D) Health care coverage: utilization review.

Current Text: 04/01/2024 - Amended [HTML](#) [PDF](#)

Introduced: 02/13/2024

Last Amended: 04/01/2024

Status: 04/11/2024 - From committee: Do pass as amended and re-refer to Com. on APPR. (Ayes 11. Noes 0.) (April 10).

Location: 04/10/2024 - Senate Appropriations

Summary: Existing laws regulate health care service plans and health insurers, ensuring they meet certain standards and use licensed professionals to evaluate medical services. This bill would further require a licensed physician to supervise the use of artificial intelligence decision-making tools when they inform decisions about health care services for patients. The tools must also meet certain requirements to ensure fairness. Additionally, any intentional violations of these rules would be considered a crime, creating a state-mandated local program. However, no reimbursement would be required for this bill as outlined by the California Constitution and established procedures. (Based on 04/01/2024 text)

[SB 1220](#) ([Limón, D](#)) Public benefits contracts: phone operator jobs.

Current Text: 04/10/2024 - Amended [HTML](#) [PDF](#)

Introduced: 02/15/2024

Last Amended: 04/10/2024

Status: 04/10/2024 - Read second time and amended. Re-referred to Com. on L. GOV.

Location: 04/09/2024 - Senate Local Government

Summary: In summary, current legislation prohibits state agencies from contracting with call centers for public benefit programs, unless the contractor certifies that all work will be performed by workers in California. There are a few exceptions, such as contracts with health care service plans or disability insurers, and the state has the right to terminate a contract if workers outside of California are used. This new bill would require all state and local government agencies to use call centers with workers solely employed in California and would also prohibit the use of artificial intelligence or automated systems in call centers that would eliminate core job functions of workers. The bill would also extend the right to terminate a contract to local governments and would not apply to contracts that were already in place before January 1, 2025. The bill addresses a matter of statewide concern and may result in reimbursing local agencies for any mandated costs. (Based on 04/10/2024 text)

[SB 1235](#) ([Gonzalez, D](#)) Public postsecondary education: Artificial Intelligence and Deepfake Working Group.

Current Text: 02/15/2024 - Introduced [HTML](#) [PDF](#)

Introduced: 02/15/2024

Status: 04/05/2024 - Set for hearing April 24.

Location: 02/29/2024 - Senate Education

Summary: This text is discussing an existing law that requires the Secretary of Government Operations to evaluate the effects of deepfakes on state government, businesses, and residents of California. The law also addresses privacy risks associated with the use of digital content forgery technologies and deepfakes by state and local governments in California. The text goes on to explain that this law has now been amended to require a public higher education institution to establish a working group that will study and advise the Legislature and the public on the issues and impacts of artificial intelligence and deepfakes. The working group will be made up of representatives from various organizations and must submit a report to the Legislature on their findings by January 1, 2026 and annually thereafter. (Based on 02/15/2024 text)

[SB 1288](#) ([Becker, D](#)) Public schools: artificial intelligence working group.

Current Text: 03/21/2024 - Amended [HTML](#) [PDF](#)

Introduced: 02/15/2024

Last Amended: 03/21/2024

Status: 04/09/2024 - Set for hearing April 24.

Location: 02/29/2024 - Senate Education

Summary: This legislation mandates that the Superintendent of Public Instruction must create a process within the State Department of Education to annually identify important areas where effective educational programs and practices should be developed and shared with public schools. In addition, the Superintendent, in collaboration with the State Board of Education, must assemble a working group to evaluate the use of artificial intelligence in teaching and learning. The working group will then present its conclusions and suggestions to the Legislature. (Based on 03/21/2024 text)

Total Measures: 42

Total Tracking Forms: 42



Artificial Intelligence Guiding Principles

These guiding principles are intended to provide a framework that counties can use to develop policies that further establish county practices for the secure, ethical, effective, and responsible use of Artificial Intelligence.

Artificial Intelligence (AI), also known as machine intelligence, is the simulation of human intelligence processes. Counties are committed to using AI technology responsibly and ethically to improve processes, enhance services to residents, and support employees to do their best work. As counties increasingly integrate AI into operations, maintaining a balance between harnessing the benefits of AI and reducing risks associated with its use is crucial.

AI tools are developing at an exponential rate. Counties should regularly review, update, and train users on their AI-related policy to keep it aligned with ethical and legal standards and technological advancements, as needed.

These Guiding Principles should apply to all county employees, contractors, and any other third-party individuals or entities who have access to AI technologies or are involved in using AI tools or platforms on behalf of Counties.

Accuracy:

1. The County strives to deploy algorithmic systems that have a high accuracy rate. The County will consider the impacts of AI on the authenticity of data supplied to them by outside sources. Users are responsible for ensuring the accuracy and validity of content that is ultimately used in County business and will verify content generated by AI.

Examples of what the above bullets address:

- False information: AI-generated content seems authoritative, but its “facts” may be inaccurate or even fabricated. Any statements presented as fact must cite a credible source rather than the AI system.
- Outdated data: Be sure that any information presented as current in generated content is up to date. For example, Chat GPT-3.5’s knowledge base was last updated in September 2021. AI-generated content does not always include its most recent Refresh date.
- Relevance: Generated content may not be applicable or relevant to the



County's specific needs and users should ensure that all work products address the County's unique character and needs.

Transparency:

1. When conducting County business, users should disclose and attribute the use of AI-generated content for more substantive work (to be defined by the County).
2. The County discloses to the general public when AI is used in County operations, sharing its benefits and potential implications to foster transparency and understanding. Clearly communicate the role of AI in specific processes and services, assuring residents that their interests and rights are respected.
3. Inform the public when they are interacting with AI (e.g., conversational AI and chatbots), and provide an “opt out” alternative, whenever possible.
4. The use of AI systems should be explainable to those who use and are affected by their use. Commonly understood explanations of how AI features work will be maintained and available to convey a concrete sense of how or why a particular result has been arrived at based on inputs.

Examples of what the above bullets address:

- AI-generated content used in County business should be clearly labeled as such, and details of its review and editing process (how the material was reviewed, edited, and by whom) should be provided. This provides transparent authorship and responsible content evaluation.
- **Sample disclosure line:** *This document was drafted by [insert AI tool e.g., Google Bard/ChatGPT] using the following prompt: “Does the inclusion of cybersecurity standards in contract Terms and Conditions result in better contractor security compliance?” The document was reviewed and edited by [insert name(s).]*

Equity:

1. The County only uses algorithmic tools in alignment with its commitment to equity and reducing racial and socioeconomic disparities. Documents or work produced using AI should be screened for biases and potentially offensive material. Users should take care to ensure that output (e.g., documents and communication produced using AI) used in County business is free of bias and toxicity and reflects the County’s commitment towards equity and providing culturally responsive services.



2. Documents and communication should reflect respect for the County’s workforce and community and should be screened to maintain the use of AI results in equitable services to all residents, regardless of their background, by considering diverse data and perspectives.
3. The County maintains human oversight over AI, especially in decision-making processes to prevent undue reliance on automated decisions and where bias could play a role.

Examples of what the above bullets address:

- Biases: Because AI knowledge bases contain so much unevaluated information, they may reflect political, racial, sexual, cultural, economic, or other biases.
- Potentially offensive material: Some AI systems may attempt to keep generated content within the bounds of language and ideas acceptable to most people, but their attempts don’t always succeed. Other systems make no such attempts.

Accountability:

1. The County will strive to certify that data or content used by AI complies with copyright laws, and whenever possible, use data that is explicitly licensed for its intended use or that is in the public domain. The County will avoid using AI to generate content that directly copies copyrighted material.
2. The County will seek to procure AI products that have built in protections to limit the use of copyrighted data.
3. AI vendors will be selected based on their reputation, adherence to data protection standards, and commitment to ethical AI principles. The County should verify that vendor contracts disclose use of AI and explicitly define data usage, data ownership, security measures, and compliance with privacy regulations.
4. AI tools should not be used for any illegal, harmful, or malicious activities.
5. When creating accounts with AI providers for use of AI tools, users should use their official County email address and a unique password for better security and accountability.
6. Each system will have responsible parties (to be identified by the County) that are accountable for the use and outcomes of AI systems.

Examples of what the above bullets address:



- It is not always easy to determine whether AI-generated content contains copyright-protected material. If you are sure the material is protected, obtain rights to it, or do not use it. If you are not sure, do not use the material.

Utility:

1. The County adopts algorithmic tools that have demonstrated a positive impact to residents. AI can be used to maximize the County’s effective and efficient use of evolving technology to support its operations and to make services better, more just, and more efficient.
2. AI should not be used as a definitive source of medical, legal, or strategic advice; instead, it should be regarded as a tool that can be responsibly used to facilitate the County’s efforts to provide collaborative and affordable public services that are beneficial and responsive to our wider community. Users should be conscientious about how AI tools are used to inform decision making processes.

Confidentiality:

1. The County ensures a privacy-centric approach in all algorithmic systems. Never enter personal, confidential, or sensitive information into an AI system. Always assume any information you enter into an AI system may be subject to a California Public Records Act (CPRA) request.

Examples of what the above bullets address:

- It is documented that AI tools may store user data for use with future models.



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January 18, 2024

To: CSAC Executive Committee

From: Kalyn Dean, Legislative Advocate
Jessica Sankus, Senior Legislative Analyst

Re: **2024 Artificial Intelligence Steering Committee & Working Group**

Purpose

California is home to 35 of the world's top 50 artificial intelligence (AI) companies¹. As surveyed by CSAC, many of California's 58 counties are either using or are planning to use AI in the future². While AI is not new, with an important part of AI history introduced through Alan Turing's "[Computing Machinery and Intelligence](#)" published in 1950, the regulation of AI is the hot topic more than 70 years later. The use of this rapidly evolving technology is being explored to improve lives and the functioning of government. In what best summarizes the moment, the Los Angeles Times said, "*California is trying to tap into AI to improve government services at a time when lawmakers seek to safeguard against the technology's potential risks.*"

In response, this memo provides a county-focused summary of the current AI regulatory and legislative landscape, to kickstart the work of the 2024 CSAC Artificial Intelligence Steering Committee and Working Group. These groups will bring together county officials to discuss the use of AI systems, develop guiding principles to assist counties in implementing and responding to AI systems, and to develop language for the CSAC County Platform to inform related legislative advocacy. These groups will also identify the policy and resource gaps that counties currently have and will determine whether and how CSAC can play a role in addressing the identified needs.

What is Artificial Intelligence?

AI refers to the capability of computer systems or algorithms to imitate intelligent human behavior, such as problem solving. This is accomplished with a collection of technologies, combining computer science and datasets, to enable computers to sense, learn, reason, and act. At this time, conventional AI is capable of specific, individual tasks as programmed by humans. AI runs the algorithms (i.e., the instructions) that are encoded in computer programs.³

With **Conventional AI**, models use datasets to learn to identify any underlying patterns within the data and then produce predictions for the context of what the model was specifically trained to do. Conventional AI models are usually designed for just a few specific tasks and are limited by the scope of the input AI data and the expertise of the programmer. Examples include fraud detection tools, image classification systems, chatbots, and more.

With more flexibility and functionality, **Generative Artificial Intelligence (GenAI)** uses large quantities of data to create written, audio, and/or visual content when prompted by

¹ [AI 50](#) (Forbes, April 11, 2023).

² See Appendix B, CSAC 2024 AI survey results.

³ Definition of AI provided by the Boston Museum of Science: [What is AI?](#)

a free-form text request by a user. While conventional AI regurgitates input data based on identified patterns, GenAI can produce new content (e.g., [ChatGPT](#)). GenAI knowledge bases often contain unverified and unevaluated information.

How does AI work?

At a high level, a common approach to AI is a process called “machine learning,” in which AI systems are given datasets and are programmed with algorithms, and human AI developers train computer programs to recognize patterns in the datasets to solve a problem. Machine learning algorithms, called “neural networks,” extract information from examples in the training dataset by searching for patterns in multiple steps. Once a computer program is trained on a dataset, it can encounter new scenarios and begin making predictions based on its training.

To explain how AI works, [Microsoft](#) implores the reader to ask the question, “*How do people learn?*” Although it sounds like science fiction, Microsoft explains that: “*It can be something as simple as learning $2+2=4$ or as complex as string theory. Whatever it is, we learn by observing samples. The same is true for AI. An AI algorithm takes in data and stores the information in a database. It collects samples of information and uses them to make observations that lead to conclusions. Ultimately, you could teach an AI system that $2+2=3$ if you fed it enough samples that showed this was true.*”

Please see the glossary of key terms in Appendix A for a more detailed description of relevant language used throughout this document.

FEDERAL ACTION

President Biden’s Executive Order

On October 30, 2023, President Biden signed [Executive Order 14110](#) on the “Safe, Secure, and Trustworthy Development and Use of AI.” The Executive Order establishes new standards for AI safety and security. The strategies and directives included are sweeping and comprehensive, affecting private industry, public agencies, and consumers.

Major components of the Executive Order include:

National Security

- Requiring companies that develop powerful AI systems that pose a risk to national security to notify the federal government when training the model and share their safety test results and other critical information.
- Directing the development of standards, tools, and tests for multiple federal departments to ensure safety:
 - The National Institute of Standards and Technology will set rigorous standards before public release of AI systems.
 - The Department of Homeland Security will apply those standards to infrastructure sectors and establish The AI Safety and Security Board.
 - The Departments of Energy and Homeland Security will address AI systems’ threats to infrastructure and other risks such as cybersecurity.

Consumer Protection, Privacy, and Cybersecurity

- Protecting against AI-enabled fraud, the Department of Commerce will develop guidance for detecting AI-generated content and establish best practices for authenticating and watermarking AI-generated content.
- Establishing a cybersecurity program to develop AI tools to find and fix vulnerabilities in software.

Use of AI by Federal Agencies

- Evaluating how federal agencies collect and use commercially available information – with a focus on personally identifiable data and strengthening privacy guidance for federal agencies.
- Developing guidelines for federal agencies to evaluate the effectiveness of privacy-preserving techniques and prioritizing federal support for accelerating the development and use of privacy-preserving techniques.
- Ensuring responsible and effective federal government use of AI by issuing guidance that includes clear standards to protect rights and safety, improve AI procurement, and strengthen AI deployment. Also, to accelerate the rapid hiring of AI professionals as part of a government wide AI talent surge.

Concerning Civil Rights, Algorithmic Discrimination, and Equity

- Advancing equity and civil rights by providing guidance to landlords and federal benefits programs to keep AI algorithms from being used discriminately, addressing algorithmic discrimination through training, technical assistance, and coordination between the Department of Justice and federal civil rights offices when investigating and prosecuting civil rights violations related to AI, and developing best practices on the use of AI in sentencing, parole and probation, pretrial release and detention, risk assessments, surveillance, crime forecasting and predictive policing, and forensic analysis.
 - An important point to highlight: *“Irresponsible uses of AI can lead to and deepen discrimination, bias, and other abuses in justice, healthcare, and housing.”* To protect the American public in the age of AI, with a focus on advancing equity and civil rights, the Biden-Harris Administration previously published the Blueprint for an AI Bill of Rights (see below), as well as Executive Orders [14091](#) and [13985](#), directing federal agencies to combat algorithmic discrimination. Portions of these orders were written to address emerging civil rights risks and instruct federal agencies to focus on threats such as algorithmic discrimination in automated technology, to improve accessibility for people with disabilities, and to improve language access services, while ensuring their own use of AI and automated systems advance equity.

Health and Human Services

- Directing the Department of Health and Human Services to establish a safety program to receive reports of harm or unsafe healthcare practices involving AI.

Education

- Creating resources to support educators using AI-enabled educational tools (e.g., personalized tutoring in schools).

Addressing Workforce Impacts

- Developing principles and best practices to mitigate harm and maximize the benefits of AI for workers by addressing job displacement, labor standards, workplace equity, health and safety, and data collection.

- Producing a report on AI's potential labor-market impacts and studying and identifying options for strengthening federal support for workers facing labor disruptions, including from AI.

Immediately following the announcement of federal Executive Order 14110 on AI, the Federal Office of Management and Budget (OMB) released a [complementary draft policy](#) on “Advancing Governance, Innovation, and Risk Management for Federal Agency use of AI.” The OMB’s draft policy does not, at this point, mandate how states or local governments regulate use of AI systems within their jurisdictions.

Note, other federal executive orders on AI include [13960](#) and [13859](#) from the Trump-Pence Administration. While we did not find executive orders on AI released during the Obama-Biden Administration, that Administration released two AI reports to lay out plans for the future of AI, with a combined total of twenty-five recommendations⁴, and President Obama assisted the Biden-Harris Administration with Executive Order 14110.

President Biden’s Blueprint for an AI Bill of Rights

In October 2022, one year before President Biden’s Executive Order on AI, The White House Office of Science and Technology Policy (“the Office”) under the Biden-Harris Administration published a lengthy [Blueprint for an AI Bill of Rights: Making Automated Systems Work for the American People](#) (the “AI Blueprint”) In this publication, the Office is clear that the intention is to prevent the use of technology, data, and automated systems from infringing on civil rights, equal opportunities, and the right to privacy for Americans. Unlike recent publications from the state that include a narrower scope, the AI Blueprint proclaims to be “sector-agnostic,” and is designed to apply to inform policy decisions nationwide, at all levels of government and across the private sector.

- **A note for clarity:** The AI Blueprint uses the term “artificial intelligence” as well as the term “automated systems.” The AI Blueprint includes a definition of an automated system that is broader in scope than the standard definition of AI. This appears to be an intentional choice, to capture all manner of technologies that may affect the civil rights of residents. The AI Blueprint defines an automated system, in part, as *“any system, software, or process that uses computation as whole or part of a system to determine outcomes, make or aid decisions, inform policy implementation, collect data or observations, or otherwise interact with individuals and/or communities. Automated systems include, but are not limited to, systems derived from machine learning, statistics, or other data processing or AI techniques, and exclude passive computing infrastructure.”* (Page 10)

The Office identifies five principles that should guide the design, use, and deployment of automated systems to protect the American public in the age of AI, summarized as follows:

- **Safe and effective systems** – You should be protected from unsafe or ineffective systems. (Page 15)
 - Expectation/standard: Automated systems should include safeguards to protect the public from harm in a proactive and ongoing manner; avoid use of data inappropriate for or irrelevant to the task at hand, including the reuse of data that could cause compounded harm; only use relevant and high-quality data; and

⁴ [Preparing For The Future of AI, October 2016](#) and [AI, Automation, and the Economy, December 2016](#)

should demonstrate the safety and effectiveness of the system by applying independent evaluations and reporting. (Page 18)

- **Algorithmic discrimination protections** – You should not face discrimination by algorithms and systems should be used and designed in an equitable way. (Page 23)
 - Expectation/standard: Protection against algorithmic discrimination should include design and development to ensure equity, and broadly construed, such as proactive equity assessments early in the development process. Automated systems should be tested to help ensure it is free from algorithmic discrimination before it can be sold or used. Once deployed, automated systems should be regularly monitored to assess algorithmic discrimination that might arise from unforeseen interactions of the system with inequities not previously accounted for. (Page 26)
- **Data privacy** – You should be protected from abusive data practices via built-in protections, and you should have agency over how data about you is used. (Page 30)
 - Expectation/standard: The American public should be protected via built-in privacy protections, data minimization, use and collection limitations, and transparency, in addition to being entitled to clear mechanisms to control access to and use of their data—including their metadata—in a proactive, informed, and ongoing way. Any automated system collecting, using, sharing, or storing personal data should meet these expectations. The public should be protected from unchecked surveillance. (Page 33)
 - Note: The AI Blueprint includes extra context and enhanced protections related to sensitive domains (e.g., health, employment, education, criminal justice, personal finance, and more). (Page 36)
- **Notice and explanation** – You should know that an automated system is being used and understand how and why it contributes to outcomes that impact you. (Page 40)
 - Expectation/standard: An automated system should provide demonstrably clear, timely, understandable, and accessible notice of use, and explanations as to how and why a decision was made or an action was taken by the system. (Page 43)
- **Human alternatives, consideration, and fallback** – You should be able to opt out, where appropriate, and have access to a person who can quickly consider and remedy problems you encounter. (Page 46)
 - Expectation/standard: An automated system should provide demonstrably effective mechanisms to opt out in favor of a human alternative, where appropriate, as well as timely human consideration and remedy by a fallback system, with additional human oversight and safeguards for systems used in sensitive domains, and with training and assessment for any human-based portions of the system to ensure effectiveness. (Page 49)

Notably, California is featured in the AI Blueprint, as an example of how the principles listed above can move into practice, or are already being practiced by proactive states, and includes the following remarks:

“A California law requires that warehouse employees are provided with notice and explanation about quotas, potentially facilitated by automated systems, that apply to them. Warehousing employers in California that use quota systems (often facilitated by

algorithmic monitoring systems) are required to provide employees with a written description of each quota that applies to the employee, including “quantified number of tasks to be performed or materials to be produced or handled, within the defined time period, and any potential adverse employment action that could result from failure to meet the quota.”⁵ (Page 43)

Lastly, the Appendix (Page 53) of the AI Blueprint includes examples of automated systems that have the high potential, depending on the application of the technology, to infringe upon civil rights, equal opportunities, and right to privacy for Americans. The illustrative examples listed in the Appendix, especially of technologies already in use, may be of particular interest and aid to county governments that are examining the impact of AI on their operations and their residents.

STATE ACTION

Governor Newsom’s Executive Order

In early September 2023, Governor Gavin Newsom issued [Executive Order N-12-23](#) to study the development, use, and risks of AI technology throughout the state. As Governor Newsom’s [press release](#) notes, California is a global hub for GenAI, and as an emerging field of technology, GenAI may revolutionize the world. As well reported, this technology may present transformative benefits for society in several fields, ranging from advances in medicine, wildfire forecasting and prevention, revolutionizing the transportation sector, providing operational efficiencies across various sectors of the economy, and providing better metrics to make data-informed policy decisions, and more. The Governor’s Executive Order also identified risks, including terrorism, cyberattacks, disinformation, deception, and discrimination and bias.

The Governor’s Executive Order includes a number of provisions, including the development of a risk-analysis report; general guidelines for public sector procurement, uses, and required training; beneficial uses of GenAI report; deployment and analysis framework; state employee training; GenAI partnership and symposium; a legislative engagement strategy, and evaluative measures to assess the impacts of AI on an ongoing basis. A subsequent section of this document includes a description of the report developed by the Government Operations Agency, the California Department of Technology, the Office of Data and Innovation, and the Governor’s Office of Business and Economic Development, which examines the beneficial uses of GenAI tool deployment and the potential risks to individuals, communities, and governments.

Timeline of deliverables included in Executive Order N-12-23		
Deadline	State Agencies	Task/Deliverable
Within 60 days of the issuance of the order (i.e., early December 2023)	Statewide	All state agencies within the Administration shall conduct and submit an inventory of all current high-risk uses of GenAI within state agencies to CDT.

⁵ [Chapter 197, Statutes of 2021.](#)

	GovOps CDT ODI GO-Biz	Specified state agencies shall draft a report examining the most significant, potentially beneficial use cases for deployment of GenAI tools by the state, and the most significant risks to the state and the community at-large.
Beginning in the fall of 2023	GovOps GO-Biz	Specified state agencies are directed to work with UC Berkeley and Stanford University to convene a joint California-specific AI summit in 2024.
By January 2024	GovOps DGS CDT Cal-CSIC	Specified state agencies shall issue general guidelines for public sector procurement, uses, and required trainings for use of GenAI.
No later than March 2024	Cal-CSIC STAC CDT CMD CHP	Specified state agencies shall perform a joint risk analysis of potential threats to and vulnerabilities of California's critical energy infrastructure by the use of GenAI.
By March 2024	CDT	CDT shall establish the infrastructure to conduct pilots of GenAI projects for state agencies, including environments to test such projects.
By July 2024	GovOps CDT CalHR LWDA	Specified state agencies shall make available trainings for state government worker use of state approved GenAI tools.
	Statewide	All state agencies within the Administration shall consider pilot projects of GenAI applications.
	GovOps CDT ODI	Specified state agencies shall develop guidelines for state agencies and departments to analyze the impact that adopting a GenAI tool may have on vulnerable communities.
By January 2025	GovOps DGS CDT	Specified state agencies shall update the State's project approval, procurement, and contract terms, incorporating analysis and feedback obtained through the processes outlined above.
No later than January 1, 2025	GovOps CalHR LWDA	Specified state agencies and state employee representatives shall establish criteria to evaluate the impact of GenAI to the state government workforce and provide guidelines on how the state can support state government employees to use these tools effectively.
Acronym	State Agency/Department/Office	
CalHR	California Department of Human Resources	
Cal-CSIC	California Cybersecurity Integration Center (Within the Governor's Office of Emergency Services)	
CDT	California Department of Technology	
CHP	California Highway Patrol	
CMD	California Military Department	

DGS	California Department of General Services
GovOps	California Government Operations Agency
GO-Biz	California Governor's Office of Business and Economic Development
LWDA	California Labor and Workforce Development Agency
ODI	Office of Data and Innovation
STAC	State Threat Assessment Center (Within the Governor's Office of Emergency Services)

State Report on the Benefits and Risks of GenAI

As noted in the timeline of directives included in the Governor Newsom's Executive Order on AI, the first major product from the state is a risk-benefit analysis of the impacts of GenAI on the state and the residents of California. Several state agencies, led by GovOps, [released their findings in a report in November 2023](#). GovOps's research is based in large part on the National Institute of Standards and Technology (NIST)'s [AI Risk Management Framework](#). Overall, the scenarios examined in the report communicate that all components of our daily life may be affected by AI, and the harms and benefits to society cannot be neatly isolated. For example, AI technologies may improve the efficiency of many standard administrative tasks, allowing the human workforce to increase the quality of their output and reduce overtime. However, this same AI technology, depending on how it is applied, may also result in job replacement or displacement and negatively affect the workforce statewide, regardless of sector.

Notably, the state emphasized that GenAI raises novel risks compared to conventional AI, for society broadly. Readers should take note that the examples included in the report speak nearly exclusively to GenAI; across democratic and legal processes, biases and equity, health and safety, and the economy. The most significant risks of GenAI technology included in the report are the ability to spread false information, the capacity to amplify explicit and implicit biases as GenAI uses input data (as input data is created by humans), and the potential for risks to privacy security.

Although this report was conducted by state agencies for use by the Administration, the examinations of public uses of GenAI are applicable and relevant to all levels of government, including counties.

Highlights from the risk-benefit analysis include the following statements:

- *“Despite the capacity of GenAI to produce coherent, intelligent-sounding output, there is no guarantee that the output is accurate. In fact, many of the most widely available GenAI models were designed as a demonstration of what is possible, rather than to solve a specific use case or business purpose.”* (Page 6)
- *“Leveraging GenAI to help experts translate government websites, public documents, policies, forms, and other materials into the various languages spoken in the State. This expands access to important information and services to non-native English speakers.”* (Page 10)
- *“As models are increasingly able to learn and apply human psychology, models could be used to create outputs to influence human beliefs, addict people to specific platforms, or manipulate people to spread disinformation.”* (Page 17)
- *“The difficulty in extracting human-interpretable explanations from GenAI technology is an important factor to consider for government to provide sufficient information about decisions that concern constituents.”* (Page 22)

- *“As Californians’ right to remove their personal data online becomes more widely practiced, extracting and destroying their information embedded within GenAI models may become difficult or administratively unsustainable.” (Page 23)*

California Privacy Protection Agency

The California Privacy Rights Act (Proposition 24, 2020) created the [California Privacy Protection Agency](#) (CPPA) to protect the privacy rights and personal information of Californians. Pursuant to California Civil Code section [1798.185\(a\)\(16\)](#), the CPPA has the authority to issue regulations regarding consumer access to opt-out rights for a businesses’ use of automated decision-making technology. However, the term “automated decision-making technology” for the purposes of consumer safety and the regulatory authority of the CPPA is not defined in the current California Code of Regulations, [Title 11, Div. 6, Ch. 1](#). Via [draft regulations published in late 2023](#), the CPPA proposes to define “automated decision-making technology” as “*any system, software, or process—including one derived from machine-learning, statistics, or other data processing or AI—that processes personal information and uses computation as whole or part of a system to make or execute a decision or facilitate human decision making. Automated decision-making technology includes profiling.*” In other words, automated decision-making technology is when a computer program uses AI, data, rules, and criteria to make a decision, rather than a human.

The CPPA’s proposed [Automated Decisionmaking Technology Regulations](#) are a response to the increased public attention to AI in 2023, and to safeguard consumer privacy as related to widespread adoption of AI systems and automated decision-making technology by the private and public sector. Although widespread attention is being paid to the use of AI in automated decision-making technology today, in late 2017, New York City was the first local public entity in the United States to formally review and report on the public use of automated decision-making technology. The New York City Council created the [Automated Decision Systems Task Force](#) to “*develop a process for reviewing automated decision systems through the lens of equity, fairness and accountability.*”

The following list includes general examples of common automated decision-making technology used today:

- Autonomous vehicles (e.g., self-driving cars) use automated decision-making technology to replace human control of the vehicle. For example, the car makes decisions about when to brake, the rate of acceleration, which way to turn, etc.
- Online advertising uses automated decision-making technology to display specific, targeted advertisements to individuals based on their user data (e.g., Instagram’s advertising systems decided to show me an ad for Pepsi instead of Coca-Cola, basing its data of my transaction history obtained from grocery retailers using a debit or credit card that includes my identifying information).
- Some metropolitan fire departments use automated decision-making technology to prioritize building inspection schedules by using data from past fires to predict which buildings are the most vulnerable.

The CPPA’s draft regulations for automated decision-making technology includes a detailed, prescriptive process by which businesses must make customers aware of their use of automated decision-making technology and makes clear the consumer’s right to opt-out.

Across the Nation – Action by Other States

In addition to Governor Newsom’s Executive Order in September 2023, several other states have had AI-related gubernatorial or legislative activity:

- In June 2022, Colorado’s Governor Polis signed SB22-113 to create a task force for the consideration of AI facial recognition services.⁶
- In June 2023, Connecticut’s Governor Lamont signed a bill to govern the use of AI and tasked the legislature to build an AI “bill of rights” based on the 2022 White House Blueprint for an AI Bill of Rights.⁷
- In July 2023, Texas’ Governor Abbott signed HB 2060 to establish the AI Advisory Council of Texas, to oversee how state agencies are developing and using AI to ensure it is done responsibly.⁸
- In September 2023, Oklahoma’s Governor Stitt issued Executive Order 2023-24 which established the Governor’s Task Force on Emerging Technologies to study, evaluate, and develop recommendations for the responsible deployment of AI and GenAI.⁹
- In September 2023, Pennsylvania’s Governor Shapiro issued Executive Order 2023-19 to expand and govern the use of generative AI technologies within the Commonwealth, including the state’s use.¹⁰
- In September 2023, Virginia’s Governor Youngkin issued Executive Directive No. 5 on use of AI: legal protections, policy standards, IT safeguards, and K-12 and higher education implications.¹¹
- In November 2023, Speaker of South Carolina’s House of Representatives, Representative Murrell Smith, Jr., created a standing committee on AI.¹²

California State Legislation

- [AB 740 Elections: deceptive audio or visual media.](#) (Chapter 493, Statutes of 2019) - Authored by Assemblymember Marc Berman, this law applies to deepfakes and lower tech fabrications, and makes it illegal to knowingly or recklessly share deceptive audio or visual media of a political candidate with the intent to injure a candidate’s reputation or to deceive a voter into voting for or against a candidate, unless the audio or visual media includes a disclosure that it has been manipulated.
- [SCR 17 AI.](#) (Chapter 135, Statutes of 2023) - Authored by Senator Bill Dodd, this chaptered Senate Concurrent Resolution was the first attempt by the California State Legislature to address AI’s use at the state level. It committed the Legislature to examine and implement the principles outlined in the Blueprint for AI Bill of Rights published in 2022 by the Biden-Harris Administration.
- [SB 294 Health care coverage: independent medical review.](#) (Weiner, 2023) - Introduced towards the end of the 2023 legislative session as the Safety in AI Act, the original form of the bill intended to establish standards for the safe development and deployment of frontier AI models. However, it was amended at the beginning of the 2024 legislative year to address Independent Medical Review in healthcare.
- [AB 331 Automated decision tools.](#) (Bauer-Kahan, 2023) - This bill would prohibit algorithmic discrimination by prohibiting the use of an automated decision tool that

⁶ [SB22-113, Colorado](#)

⁷ [Connecticut AI Bill of Rights](#)

⁸ [HB 2060, Texas](#)

⁹ [Executive Order 2023-24, Oklahoma](#)

¹⁰ [Executive Order 2023-19, Oklahoma](#)

¹¹ [Executive Order No. 5, Virginia](#)

¹² [Standing Legislative Committee on AI, South Carolina](#)

results in algorithmic discrimination, establishing specified requirements on those who develop or deploy an automated decision tool, gives the California Civil Rights Department enforcement action, and authorizes the Attorney General and local prosecutorial authorities to bring civil action against a developer or deployer for violating this bill. AB 331 was held in the Assembly Committee on Appropriations, and CSAC has heard that the author intends to continue moving this issue forward.

- [SB 892 Public contracts: AI services: safety, privacy, and nondiscrimination standards.](#) (Padilla, 2024) - Introduced on the first day of the 2024 legislative session, this bill would require the California department of Technology to establish safety, privacy, and nondiscrimination standards relating to AI services and prohibits the state from entering into a contract for AI services unless the provider meets these standards.
- [SB 893 California AI Research Hub.](#) (Padilla, 2024) - Also introduced on the first day of the 2024 legislative session, this bill would require the Government Operations Agency, the Governor's Office of Business and Economic Development, and the California Department of Technology to collaborate to establish the California AI Research Hub within the Government Operations Agency. The bill would require the hub to serve as a centralized entity to facilitate collaboration between government agencies, academic institutions, and private sector partners to advance AI research and development that seeks to harness the technology's full potential for public benefit while safeguarding privacy, advancing security, and addressing risks and potential harms to society.
- [SB 896 AI Accountability Act.](#) (Dodd, 2024) – Also introduced on the first day of the 2024 legislative session, this bill would regulate the use of AI for state agencies, creates guidelines for state agencies, departments and subdivisions on how to review, adopt, and regulate technology that has automated decision-making capabilities. It also instructs California's Government Operations Agency, the California Department of Technology, and the Office of Data and Innovation to produce a report on the risks and benefits of AI in the state.
- [AB 1791 AI: technical open standards and content credentials.](#) (Weber, 2024) - While this bill does not have language yet, it states that it intends to require California-based generative AI companies to implement the Coalition for Content Provenance and Authenticity's¹³ technical open standard and content credentials into their tools and platforms.
- [AB 1824 AI: disclosure.](#) (Valencia, 2024) - To date, bill language has not been added but the author's stated intent is to enact legislation that would create a disclosure requirement for any content that is generated through AI.
- [AB 1831 Crimes: child pornography.](#) (Berman, 2024) - This bill would update the California Penal Code to criminalize the production, distribution, or possession of AI-generated depictions of child sexual abuse.

COUNTY ACTION

National Association of Counties (NACo) AI Exploratory Committee¹⁴

NACo convened an AI Exploratory Committee in June 2023 with the goal of assessing the state of AI and how AI policies, practices and potential use relate to county governance and operations. AI Exploratory Committee membership includes representation from California, with Supervisor Keith Carson (Alameda County, District 5) as one of the Committee's 16 members.

¹³ [Coalition for Content Provenance and Authenticity](#)

¹⁴ [NACo AI Exploratory Committee](#)

The Committee's scope of work includes developing a preliminary policy and practice toolkit with sample guidelines and standards for AI use by county governments.

To inform the development of the toolkit and guidelines, in December 2023 and January 2024, NACo conducted a nationwide survey of county governments regarding current AI use in their county work and any challenges they are facing. While the deadline for survey responses is not until January 31, 2024, early responses from California counties indicate the top three risks that counties view as the highest concern when implementing GenAI are privacy and data security, bias caused by AI or as a result of AI decision-making, and the accuracy of information and insights offered by AI. The early survey responses from California counties also indicated that the majority do not plan to include GenAI in their technology budget for the upcoming year and most of the responding counties see GenAI as a tool to address public sector workforce issues.

More information about the Committee and additional resources are available on the [NACo website](#).

Highlighting several California county AI guidelines or use policies

Santa Cruz County

Prior to the release of state and federal orders on AI, Santa Cruz County initiated development of county policies in [June 2023](#). The Santa Cruz County Board of Supervisors adopted their [AI Appropriate Use policy](#) three months later, in September 2023, that applies to all employees, contractors, and any third-party entities who have access to or use generative AI on behalf of the county. According to Santa Cruz County, *"The policy allows and encourages the continued use of AI in County operations while providing guidelines to avoid misuse and the sharing of sensitive information, and to continue to center human judgment in core decisions related to local government operations."* The use policy includes a list of county-approved AI tools: Bard (Google), ChatGPT (Open AI), Claude (Anthropic), and Scribe.

San Benito County

In October 2023, San Benito County's Information Technology Committee received a presentation on Proposed Guidelines¹⁵ for the usage of GenAI by staff, to adopt the proposed guidelines and authorize staff to amend as necessary for IT security and operational requirements.

Sacramento County

In November 2023, Sacramento County [released interim guidelines for GenAI](#) for the purpose of ensuring the use within Sacramento County government is purposeful, responsible, and informed, and to help county workforce members maximize the benefits and minimize the challenges. The county plans to replace the interim guidelines with policies and procedures. When conducting Sacramento County business, the use of AI-generated content must be disclosed and attributed.

Examples of CA county usage of AI

- A Human Resources Department uses AI for remote proctor testing during the hiring process to reduce the time related to verification of examinations.
- Many Sheriff's Departments use automated license plate readers (ALPR) that use AI algorithms to read, interpret, and analyze license plates captured by cameras and compare the plate number to stored lists of license plate numbers from vehicles of

¹⁵ [San Benito County. Proposed Guidelines for Using Generative Artificial Intelligence.](#)

interest, called *hot lists*. A 2020 report by the State Auditor of California found that 230 police and sheriff departments use an ALPR system and 36 planned to use one.¹⁶

- Several counties use PG&E AI-equipped cameras for the early detection of wildfires.
- Several county Public Works Directors are using AI to draft contracts and agreements (e.g., Entry Permits, telecom shared use agreements, etc.).

INTERNATIONAL ACTION

In April 2021, the European Commission proposed the first European Union regulatory framework for AI. According to the European Union, once approved, these will be the world's first rules on AI. The European Parliament's priority is *"to make sure that AI systems used in the EU are safe, transparent, traceable, non-discriminatory, and environmentally friendly. AI systems should be overseen by people, rather than by automation, to prevent harmful outcomes."* The European Parliament also wants to establish a technology-neutral, uniform definition for AI that could be applied to future AI systems. On December 9, 2023, the European Parliament reached a provisional agreement with the Council of the European Union on the AI act.¹⁷ The agreed text has yet to be formally adopted by both the European Parliament and the Council of the European Union to become European Union law.

CONCLUSION

Counties, other levels of government, and society are not operating under a shared understanding of AI and its associated terms. The risks surrounding AI are not fully known. While we try to wrap our heads around this rapidly evolving technology, we recognize the importance of honing in on the historic moment. This memo is a synthesis of the regulatory and legislative landscape as we see it currently. CSAC is committed to working diligently with the AI Steering Committee and Working Group to develop language for the CSAC County Platform and develop guiding principles to use AI safely and securely, assisting counties to continue in their responsibility to support all Californians.

¹⁶ [California State Auditor. Automated License Plate Readers. February 2020.](#)

¹⁷ [AI Act: deal on comprehensive rules for trustworthy AI](#)

Appendix A: Glossary of Key Terms¹⁸

Algorithm – The set of rules a machine (and especially a computer) follows to achieve a particular goal or solve a problem (i.e., a recipe, a procedure, a computation).

Algorithmic Discrimination – The use of an automated decision tool to contribute to unjustified differential treatment or outcomes that may have a significant effect on a person’s life.

Artificial Intelligence (AI) – Also known as “machine learning”, it is the capability of computer systems or algorithms to imitate intelligent human behavior.

Automated Decision System – As defined in California’s Government Code Section 11546.45.5 (a) (1), it is a computational process derived from machine learning, statistical modeling, or AI, that issues simplified output, including a score, classification, or recommendation, that is used to assist or replace human discretionary decision-making and materially impacts natural persons. An automated decision system does not include a spam filter, firewall, antivirus software, identity and access management tools, calculator, database, dataset, or other compilation of data.

Automated License Plate Reader (ALPR) – A camera that captures color images of license plates within its field of view. Fixed cameras are mounted on stationary objects, such as light poles, while mobile cameras are mounted on moving objects, such as patrol cars. Software extracts the license plate numbers from the images and stores the images, plate numbers, and dates, times, and locations of the image captures in a searchable database. An *ALPR* system consists of the cameras, the software (that reads and converts images of license plates into data), and a searchable database that stores the data. Although the primary focus of each image is the license plate, the image may also show part of the vehicle itself, including individuals within the vehicle, depending on the camera’s position.

Datasets – A collection of data taken from a single source or intended for a single project.

Deepfake – As defined in California’s Government Code Section 11457.5 (a) (1), it is audio or visual content that has been generated or manipulated by AI which would falsely appear to be authentic or truthful and which features depictions of people appearing to say or do things they did not say or do without their consent.

Deep Learning – A form of machine learning in which the computer network rapidly teaches itself to understand a concept without human intervention by performing a large number of iterative calculations on an extremely large dataset.

Effective Accelerationism – or “e/acc”- a movement that has picked up steam by calling for rapid innovation with limited political oversight.

Expert Systems – Computer software that attempts to mimic the reasoning of a human specialist. One of the earliest forms of AI.

¹⁸ Definitions provided in part by [Merriam-Webster](#) and the [New York Times](#)

Generative Artificial Intelligence (GenAI) – AI that is capable of generating new content (such as images or text) in response to a submitted prompt by learning from a large reference database of examples.

Machine Learning – A computational method that is a subfield of AI and that enables a computer to learn to perform tasks by analyzing a large data set without being explicitly programmed.

Neural Network – A computer architecture in which a number of processors are interconnected in a manner suggestive of the connections between neurons in a human brain and which is able to learn by a process of trial and error.

Appendix B: Survey Results, Artificial Intelligence and California Counties

CSAC 2024 Artificial Intelligence Survey

The California State Association of Counties launched this survey to assess the scope, scale, and impact on counties of the advancement of artificial intelligence in our society.

33 of California's 58 counties responded to the survey between December 20, 2023 and January 8, 2024.

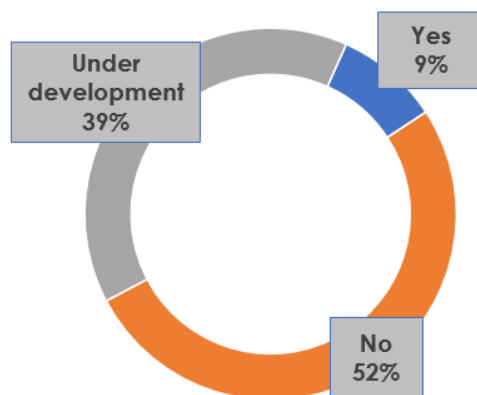
Question 1: Does your county have an adopted policy or guidelines on the use of artificial intelligence?

Response Count

Yes: 3
No: 17
Under development: 13

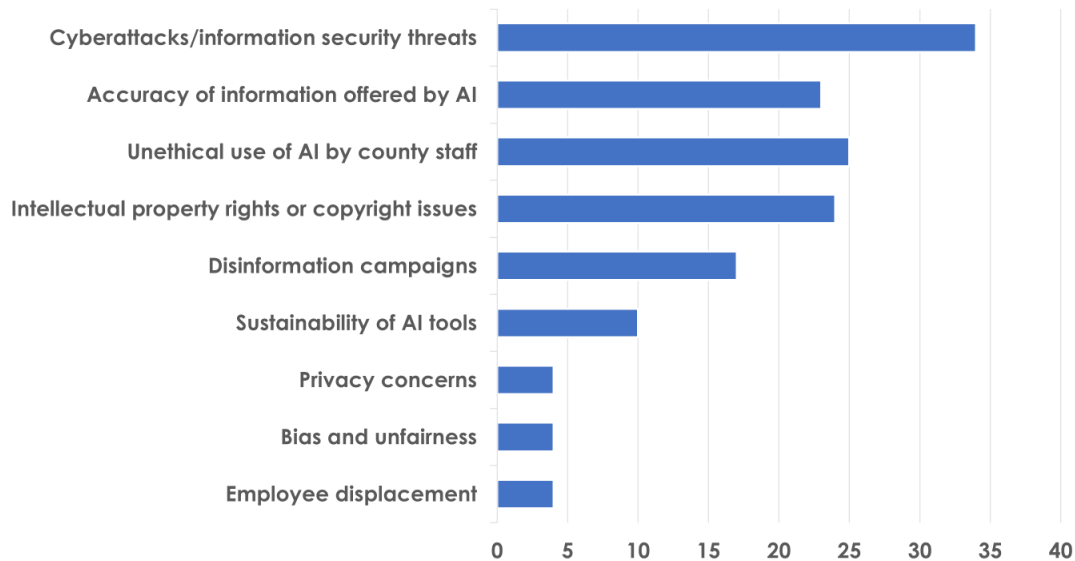
Counties that have policies or guidelines:

Nevada County
Santa Cruz County
San Francisco City/County



*List of counties that have policies or guidelines represents counties that participated in this survey.

Question 2: What concerns does your county have regarding the impacts of AI on government operations?



Question 3: How well prepared is your county to implement and oversee AI systems? What resources does your county need to become more prepared?

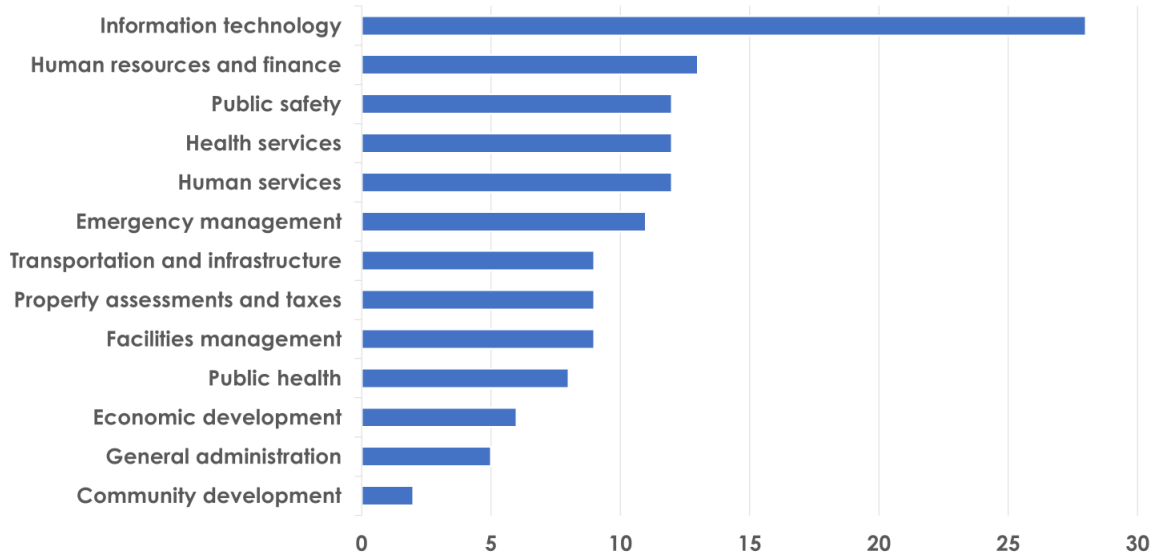
28 counties responded to this question, summarized below:

- **14 counties** reported that they are not prepared.
- **9 counties** reported that they are “learning” or “ramping up.”
- **5 counties** reported that they are well prepared.

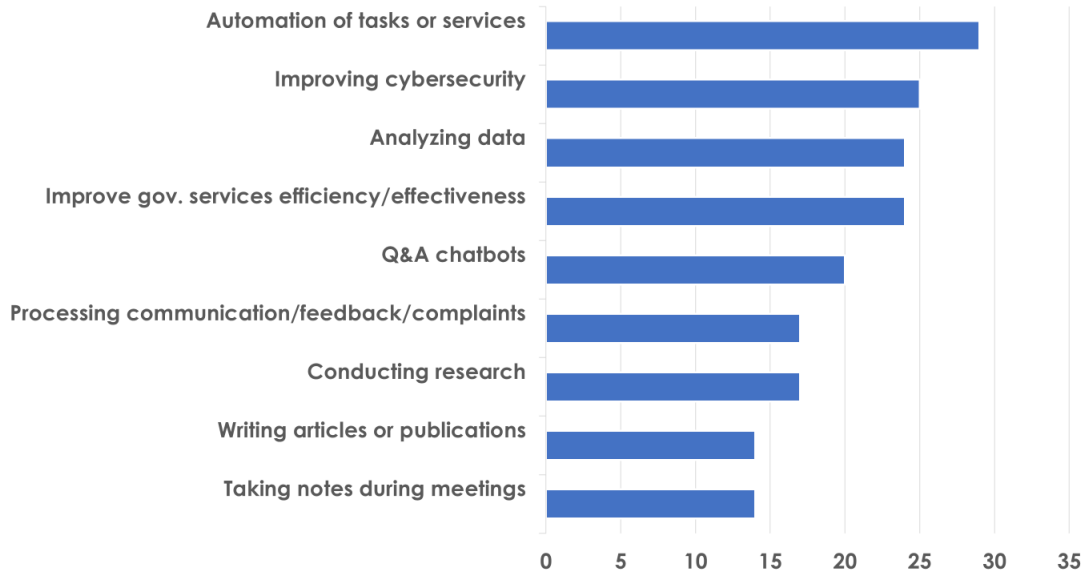
Response highlights that are representative of common themes:

- “All things AI would require an investment of funding and talent, both of which are ongoing challenges for most basic county services.”
- “There are so many unknowns still it is difficult to confidently characterize ourselves as well prepared.”

Question 4: What areas of your operations use AI currently or are most likely to use AI in the future?



Question 5: How does your county currently (or plan to) use AI for the areas of operations identified in the previous question?



Question 6: Please share information or data regarding your county's experiences with AI and how it will be applied to or effect government operations, including elaborating on the responses provided in question 5."

20 counties responded to this question. Response highlights that are representative of common themes:

- "We will be investigating enhanced productivity that incorporates both increased efficiency and process automation leading to process improvement, and ability to focus on more important work."
- "Currently we are planning to test with Microsoft Copilot, once it becomes available to government in summer of 2024."
- "We are experimenting with leveraging AI for application development with code generation which has resulted in 25-40% efficiency."

Appendix C: Additional Resources on Artificial Intelligence

- [Federal Website on Artificial Intelligence: Jobs and Resources](#)
- [California Department of Technology's AI Community](#)
- [Gershenson, L., Liebert, D. Democracy On Edge in the Digital Age. Protecting Democracy in California in the Era of AI Powered Disinformation and Unregulated Social Media.](#) (January 2024)
- [Trump-Pence Administration. AI for the American People.](#) (May 2018)
- [Little Hoover Commission. AI: A Roadmap for California.](#) (November 2018)