

CONCURRENCE IN SENATE AMENDMENTS

AB 2025 (Pellerin)

As Amended August 17, 2026

Majority vote

SUMMARY

This bill would require a person who includes a digitally altered image in an advertisement or other promotional material for the rental of real property to include a disclosure, link, URL, or QR code to the original, unaltered photo.

Senate Amendments

Make technical, conforming, and clarifying changes.

Conform last year's AB 723 (Pellerin, Chapter 497, Statutes. 2025), which added similar provisions related to the sale of real property, to require that the original, unaltered image be accessible via a website link, URL, or QR code. Specify that legislation does not apply to an advertisement or other promotional material for a leasehold exceeding one year's duration.

COMMENTS

This bill builds upon the author's previous legislation, AB 723 (Pellerin, Chapter 497, Statutes. 2025), which requires a disclosure if images of a property have been digitally altered and access to the original images via a link to an internet website, URL, or QR code. AB 2025 extends these requirements to properties for rent or lease. As technologies advance, both AI and the myriad of digital staging services can create photorealistic images in minutes that are becoming more and more difficult for a reasonable person to discern as digitally altered. Without disclosures and an easily accessible way to view the original images of a property, the risk of misrepresentation by the landlord or rental listing company can be significant.

Like its predecessor, the bill has a carve-out for minor digital alterations to touch-up an image: The definition of "digitally altered image" does not include an image where only lighting, sharpening, white balance, color correction, angle, straightening, cropping, exposure, or other common photo editing adjustments are made that do not change the representation of the real property. Additionally, the bill specifies that an unaltered version of an image required to be made available under the bill does not include an image or architectural or artistic rendering that was not originally created through the use of a capture device.

Supporters argue that this straightforward transparency measure, like AB 723, will lead to a more honest and equitable marketplace for California renters.

According to the Author

As both AI and do-it-yourself digital staging services continue to evolve, it becomes harder for the average person to differentiate between digitally staged images and unaltered images. Given the high competition in the rental market, it is not uncommon for renters to commit to a unit without visiting it in person. Without disclosures that a photo has been digitally altered and access to the unaltered original, these images risk unintended misrepresentation and consumer harm.

AB 2025 protects consumers from misleading rental listings by simply requiring disclosure and labeling of virtually staged and altered images and requiring that access be provided to the original image

Arguments in Support

Consumer Reports, writes in support, Consumer Reports writes to express their support for AB 2025, which would require that landlords listing real property for rent to clearly disclose when listing photos have been meaningfully digitally altered, and to provide a link to original, unaltered images. Providing transparency about the actual state of rental property creates a fairer, more truthful marketplace for consumers, saving them time and money by avoiding visiting potential properties whose advertised promotional images do not reflect reality.

While promoting rental properties through misleading images is arguably already illegal under California consumer protection law, that hasn't stopped many landlords from using artificial intelligence to radically alter the look of certain properties, creating a false inducement for consumers. In some cases, the results are so extreme as to be laughable, but in other cases, more subtle image alteration can still materially mischaracterize the nature of a listing and confuse potential renters about the condition of a property. As a result, Californians looking for a place to live during a housing crisis are having a harder and harder time figuring out how real various representations are. While AI can potentially save landlords money and be reasonably used to help stage properties, consumers deserve to know the actual condition of properties before deciding whether to invest time and money in visiting — or even making offers, for example in the case of someone moving across the country to California. Unfortunately, too many landlords are taking advantage of a grey area in the law and a lack of enforcement to offer listings that are likely to lead to deception and confusion.

AB 2025 takes a reasonable and cautious approach of simply mandating that landlords that promote their properties through the use of digitally altered images must (1) label such images as digitally altered and (2) provide links to original unedited images. The bill reasonably exempts minor alterations such as sharpening, color balancing, and cropping and only applies to images that materially change elements (such as fixtures, furniture, and utility poles). Providing some basic bright-line rules of the road will lead to a more honest and equitable marketplace for California residents.

Arguments in Opposition

None on file.

FISCAL COMMENTS

According to the Appropriations Committee:

- 1) Minor and absorbable costs to the Department of Real Estate (DRE) (Real Estate Fund). The DRE estimates \$69,000 in costs in the first year and \$67,000 ongoing for attorney time for research, stakeholder engagement, and rulemaking to promulgate regulations defining and providing guidance on the use of digitally altered images in rental advertisements and promotional materials. The DRE is currently engaged in a substantially similar rulemaking process for advertisements for the sale of real property, pursuant to AB 723 (Pellerin), Chapter 497, Statutes of 2025. To the extent this bill is enacted before the AB 723

rulemaking is complete, the DRE reports that the AB 2025 regulations could be folded into the AB 723 rulemaking effort, generating cost savings.

- 2) Minor and absorbable workload costs (Real Estate Fund) for the Department to conduct licensee and consumer education, staff training, external communications review, web system updates, and enforcement data system programming changes to track complaints and potential enforcement actions.

Minor and absorbable workload costs to trial courts (Trial Court Trust Fund, General Fund) and county district attorneys for any misdemeanor prosecutions of real estate licensees. The volume of such prosecutions is expected to be low, as enforcement is most likely to occur through the DRE's administrative complaint process rather than through criminal proceedings

VOTES:

ASM PRIVACY AND CONSUMER PROTECTION: 15-0-0

YES: Bauer-Kahan, Macedo, Aguiar-Curry, Bryan, DeMaio, Hoover, Irwin, Lowenthal, McKinnor, Ortega, Patterson, Petrie-Norris, Ward, Wicks, Wilson

ASM APPROPRIATIONS: 14-0-1

YES: Wicks, Hoover, Aguiar-Curry, Caloza, Dixon, Fong, Mark González, Krell, Pacheco, Pellerin, Sharp-Collins, Solache, Ta, Tangipa

ABS, ABST OR NV: Arambula

ASSEMBLY FLOOR: 77-0-3

YES: Addis, Aguiar-Curry, Ahrens, Alanis, Alvarez, Ávila Farías, Bains, Bauer-Kahan, Bennett, Berman, Boerner, Bonta, Bryan, Calderon, Caloza, Carrillo, Castillo, Chen, Connolly, Davies, DeMaio, Dixon, Elhawary, Ellis, Fong, Gabriel, Gallagher, Garcia, Gipson, Jeff Gonzalez, Mark González, Hadwick, Haney, Harabedian, Hart, Hoover, Irwin, Jackson, Johnson, Kalra, Krell, Lackey, Lee, Lowenthal, Macedo, McKinnor, Muratsuchi, Nguyen, Ortega, Pacheco, Papan, Patel, Patterson, Pellerin, Petrie-Norris, Quirk-Silva, Ramos, Ransom, Michelle Rodriguez, Rogers, Blanca Rubio, Sanchez, Schiavo, Schultz, Sharp-Collins, Solache, Soria, Stefani, Ta, Tangipa, Valencia, Wallis, Ward, Wicks, Wilson, Zbur, Rivas

ABS, ABST OR NV: Arambula, Flora, Celeste Rodriguez

SENATE FLOOR: 39-1-0

YES: Allen, Alvarado-Gil, Archuleta, Arreguín, Ashby, Becker, Blakespear, Cabaldon, Caballero, Cervantes, Choi, Cortese, Dahle, Durazo, Gonzalez, Grayson, Grove, Hurtado, Jones, Laird, Limón, McGuire, McNERney, Menjivar, Niello, Ochoa Bogh, Padilla, Pérez, Reyes, Richardson, Rubio, Seyarto, Smallwood-Cuevas, Stern, Umberg, Valladares, Wahab, Weber Pierson, Wiener

NO: Strickland

UPDATED

VERSION: August 17, 2026

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