

Date of Hearing: April 16, 2026

Fiscal: Yes

ASSEMBLY COMMITTEE ON PRIVACY AND CONSUMER PROTECTION

Rebecca Bauer-Kahan, Chair

AB 2656 (Petrie-Norris) – As Amended March 19, 2026

SUBJECT: Public employees: notice: artificial intelligence performing service within scope of work

SYNOPSIS

As artificial intelligence (AI) use has soared in recent years, guardrails and policies surrounding appropriate use and transparency measures for AI deployment in the workplace must adapt to encompass these emerging technologies. This bill requires public employers to provide written notice to recognized employee organizations at least 45 days prior to the development, purchase, implementation, or utilization of any generative AI (GenAI) system to perform a task that is within the scope of work of the recognized employee organization.

This bill is sponsored by the Peace Officers Research Association of California (PORAC). A coalition of local government representatives, including Urban Counties of California and the California State Association of Counties, is opposed to the bill due to concerns that the bill creates unnecessary burdens on local agencies.

Recent amendments add a cross-reference for the definitions of artificial intelligence and GenAI in existing Government Code.

If passed by this Committee, this bill will next be referred to the Assembly Public Employment and Retirement Committee.

EXISTING LAW:

- 1) Defines “artificial intelligence” to mean an engineered or machine-based system that varies in its level of autonomy and that can, for explicit or implicit objectives, infer from the input it receives how to generate outputs that can influence physical or virtual environments. (Gov. Code § 11546.45.5.)
- 2) Defines “GenAI” or “generative artificial intelligence” to mean an artificial intelligence system that can generate derived synthetic content, including text, images, video, and audio that emulates the structure and characteristics of the system’s training data. (Gov. Code. § 11549.64(b).)
- 3) Requires the Office of Emergency Services to, as appropriate, perform a risk analysis of potential threats posed by GenAI to California’s critical infrastructure, including risks that could lead to mass casualty. (Gov. Code. § 11549.65(b).)
 - a. Requires the analysis to be provided to the Governor, and to include recommendations reflecting changes to artificial intelligence technology, its applications, and risk management such as further private actions, administrative

- actions, and collaboration with the Legislature to protect against potential threats and vulnerabilities.
- b. Requires a high-level summary of the analysis be submitted to the Legislature annually.
- 4) Requires any state agency or department to consider procurement and enterprise use opportunities in which GenAI can improve the efficiency, effectiveness, accessibility, and equity of government operations consistent with relevant policies for public sector GenAI procurement (Gov. Code. § 11549.65(c).)
 - 5) Requires legal counsel for any state agency or department to consider any potential impact of GenAI on regulatory issues under the respective agency's or department's authority and requires the legal counsel recommend necessary updates, if appropriate, to this evolving technology (Gov. Code. § 11549.65(d).)
 - 6) Requires that a state agency or department that uses GenAI to directly communicate with a person regarding government services and benefits includes within those communications:
 - a. A disclaimer that the communication was generated using GenAI. (Gov. Code. § 11549.66(a).)
 - i. For written communications involving physical and digital media, including letters, email, and other occasional messages, the disclaimer shall appear prominently at the start of each communication.
 - ii. For written communications involving continuous online interactions, including interactions with chatbots, the disclaimer shall be prominently displayed throughout the interaction.
 - iii. For audio communications, the disclaimer shall be provided verbally at the start and end of the interaction.
 - iv. For video communications, the disclaimer shall be prominently displayed throughout the interaction.
 - b. Information, or a link to an internet website containing information, on how a person can contact a human employee of the state agency or department. (Gov. Code. § 11549.66(b).)
 - 7) Establishes the Division of Labor Standards Enforcement, under the direction of the LC, within the Department of Industrial Relations and sets forth its powers and duties regarding the enforcement of labor laws. (Lab. Code § 79 et seq.)
 - 8) Authorizes a public prosecutor to prosecute an action, either civil or criminal, for primarily wage and hour labor code violations or to enforce those provisions of the labor code independently, or to enforce any other provisions of the code as specifically authorized. (Lab. Code § 181(a).)

THIS BILL: Requires that a public employer provide a recognized employee organization no less than 45 days' written notice before developing, purchasing, implementing, or utilizing any generative artificial intelligence to perform a service that is within the scope of the work of the job classification represented by the recognized employee organization.

COMMENTS:

1) **Author's statement.** According to the author:

This measure ensures that public employees are not left in the dark as artificial intelligence becomes more integrated into government operations. As cities, counties, and state agencies increasingly deploy AI tools in the workplace, employees deserve clear, advance notice when these technologies are being used and how they may impact their duties, evaluations, and decision-making processes. While emerging technologies can be valuable tools, they must be implemented thoughtfully, transparently, and with appropriate safeguards.

Requiring advance notice is a straightforward, commonsense step that promotes accountability without slowing innovation. It ensures that employees can adapt to new systems, raise concerns where appropriate, and maintain the professional judgment that is critical in high-stakes public safety environments.

2) **AI and GenAI.** The development of GenAI has created exciting opportunities for California's economy and the lives of its residents. GenAI can generate compelling text, images and audio in an instant – but with novel technologies come novel safety concerns.

In brief, AI is the mimicking of human intelligence by artificial systems such as computers. AI uses algorithms – sets of rules – to transform inputs into outputs. Inputs and outputs can be anything a computer can process: numbers, text, audio, video, or movement. AI is not fundamentally different from other computer functions; its novelty lies in its application. Unlike normal computer functions, AI is able to accomplish tasks that are normally performed by humans.

AI that are trained on small, specific datasets in order to make recommendations and predictions are sometimes referred to as “predictive AI.” This differentiates them from GenAI, which are trained on massive datasets in order to produce detailed text and images. When Netflix suggests a TV show to a viewer, the recommendation is produced by predictive AI that has been trained on the viewing habits of Netflix users. When ChatGPT generates text in clear, concise paragraphs, it uses GenAI that has been trained on the written contents of the internet.

GenAI's use has skyrocketed in recent years, with one report suggesting that roughly 115 million to 180 million people use GenAI daily.¹ With so many people relying on GenAI tools like ChatGPT and Claude, it's unsurprising that states and businesses have also turned to the technology as a potential tool to streamline tasks and promote efficiency. Indeed, a 2024 survey

¹ Andres, Guadamuz, “How many people are using generative AI on a daily basis? A Gemini report,” (Apr 14, 2025), <https://www.technollama.co.uk/a-gemini-report-how-many-people-are-using-generative-ai-on-a-daily-basis-a-gemini-report>.

found that just over half (53 percent) of state employees surveyed said that they use GenAI in their work.² This number is only expected to grow as GenAI continues to develop and improve.

3) **Governor Gavin Newsom’s GenAI Executive Order.** In September 2023, Governor Gavin Newsom signed Executive Order N-12-23 with the stated goals of “deploy[ing] GenAI ethically and responsibly throughout state government, protect[ing] and prepar[ing] for potential harms, and remain[ing] the world’s AI leader.”³ The executive order lists a number of provisions:

- **Risk-Analysis Report:** Direct state agencies and departments to perform a joint risk-analysis of potential threats to and vulnerabilities of California’s critical energy infrastructure by the use of GenAI.
- **Procurement Blueprint:** To support a safe, ethical, and responsible innovation ecosystem inside state government, agencies will issue general guidelines for public sector procurement, uses, and required training for application of GenAI – building on the White House’s Blueprint for an AI Bill of Rights and the National Institute for Science and Technology’s AI Risk Management Framework. State agencies and departments will consider procurement and enterprise use opportunities where GenAI can improve the efficiency, effectiveness, accessibility, and equity of government operations.
- **Beneficial Uses of GenAI Report:** Direct state agencies and departments to develop a report examining the most significant and beneficial uses of GenAI in the state. The report will also explain the potential harms and risks for communities, government, and state government workers.
- **Deployment and Analysis Framework:** Develop guidelines for agencies and departments to analyze the impact that adopting GenAI tools may have on vulnerable communities. The state will establish the infrastructure needed to conduct pilots of GenAI projects, including California Department of Technology approved environments or “sandboxes” to test such projects.
- **State Employee Training:** To support California’s state government workforce and prepare for the next generation of skills needed to thrive in the GenAI economy, agencies will provide trainings for state government workers to use state-approved GenAI to achieve equitable outcomes, and will establish criteria to evaluate the impact of GenAI to the state government workforce.
- **GenAI Partnership and Symposium:** Establish a formal partnership with the University of California, Berkeley and Stanford University to consider and evaluate the impacts of GenAI on California and what efforts the state should undertake to advance its leadership in this industry. The state and the institutions will develop and host a joint summit in 2024 to engage in meaningful discussions about the impacts of GenAI on California and its workforce.

² Amy Glasscock, “Generating opportunity: The risks and rewards of generative AI in state government,” *National Association of State Chief Information Officers*, (Nov 2024), https://www.nascio.org/wp-content/uploads/2024/11/NASCIO_Risks-and-Rewards-of-GenAI_2024_a.pdf.

³ Governor Gavin Newsom, Executive Order N-12-23, <https://www.gov.ca.gov/2023/09/06/governor-newsom-signs-executive-order-to-prepare-california-for-the-progress-of-artificial-intelligence/>.

- **Legislative Engagement:** Engage with Legislative partners and key stakeholders in a formal process to develop policy recommendations for responsible use of AI, including any guidelines, criteria, reports, and/or training.
- **Evaluate Impacts of AI on an Ongoing Basis:** Periodically evaluate for potential impact of GenAI on regulatory issues under the respective agency, department, or board's authority and recommend necessary updates as a result of this evolving technology.

In response to Governor Newsom's executive order, the California legislature drafted SB 896 (Dodd, Ch. 928, Stat. 2024), which codified several provisions of N-12-23.⁴ Specifically, SB 896 required that the Office of Emergency Services perform a risk analysis of potential threats to California's critical infrastructure posed by GenAI, to be updated as needed to address significant developments. SB 896 also established disclosure requirements for state agencies and departments that use GenAI to communicate directly with a person regarding government services and benefits. AB 2412 (Ta) extends these disclosure requirements to include any public communication, such as social media posts, not just direct communication regarding governmental services and benefits. The bill is currently in Appropriations Committee.

4) **The importance of notice.** The U.S. Department of Labor released a report entitled *Artificial Intelligence and Worker Well-Being: Principles and Best Practices for Developers and Employers* in October 2024 to provide guidance on responsible use of AI and other technologies in the workplace.⁵ Most relevant to this bill is the section outlining recommended employer transparency measures about the AI systems that are used in the workplace. According to the U.S. Department of Labor:

Employers should provide workers and their representatives advance notice and appropriate disclosure if they intend to use worker-impacting AI. This disclosure should include an explanation of the purpose of the AI system; how job seekers or workers will engage with the worker-impacting AI system; and how the AI systems will be used to monitor workers, direct work, or inform significant employment decisions.⁶

In 2025, the American Federation of Labor – Congress of Industrial Organizations (AFL-CIO), the largest federation of labor unions in the United States, released “A First Look at Labor’s AI Values,” which outlined principles for responsible AI development and deployment in the workforce.⁷ The report outlined four critical themes for AI deployment in the workplace, including establishing rules for responsible tech use, centering workers, improving jobs and livelihoods, and advancing the public good.⁸ Under the first theme of establishing rules for

⁴ Governor Newsom released an updated Executive Order, N-5-26, on March 30, 2026, which requires companies interested in doing business with the state of California to certify that their AI systems include necessary safeguards against illegal content, harmful bias, and violations of civil rights and liberties. (Governor Gavin Newsom, Executive Order N-5-26, <https://www.gov.ca.gov/wp-content/uploads/2026/03/3.30-FINAL-Trusted-AI-Procurement-EO-N-5-26.pdf>.)

⁵ U.S. Department of Labor, *Artificial Intelligence and Worker Well-Being: Principles and Best Practices for Developers and Employers*, (Oct. 16, 2024), https://data.aclum.org/wp-content/uploads/2025/01/DOL_www_dol_gov_general_AI-Principles.pdf.

⁶ *Id.* p. 5.

⁷ Mishal Khan and Kung Feng, “A First Look at Labor’s AI Values,” *American Federation of Labor – Congress of Industrial Organizations (AFL-CIO)*, (Oct. 15, 2025), <https://laborcenter.berkeley.edu/wp-content/uploads/2025/09/Labors-AI-Values-v2.pdf>.

⁸ *Id.* p. 2.

responsible tech use, AFL-CIO outlines the importance of transparency and disclosure, stating that “[t]ransparency around the use of digital technologies in the workplace is articulated as both the right to advance notice . . . and the right of post-use explanation.”⁹ Thus, both the Department of Labor and labor unions see advanced notice for workers as critical to the responsible deployment of AI in the workplace.

3) This bill requires public employers to notify employee organizations 45 days prior to procuring and implementing GenAI tools that fall within the scope of work of the employee organization. Under AB 2656, employers must notify a recognized employee organization at least 45 days prior to developing, procuring, or implementing GenAI that may perform a service that is within the scope of work of the job application. This bill aims to promote transparency in the workplace to ensure that employees are made aware of any GenAI tools that may impact their workflow or that threaten to displace them. Recent technical amendments add cross-references to established definitions of AI and GenAI to ensure clarity and consistency across California law.

“Scope of work” remains undefined – an issue that is in the jurisdiction of the next committee of referral, the Assembly Public Employment and Retirement Committee.

ARGUMENTS IN SUPPORT: PORAC, sponsors of the bill, write in support:

AB 2656 ensures that public employee organizations receive advance notice of the proposed use of Generative Artificial Intelligence (GenAI) and are provided a meaningful opportunity to engage with public agencies prior to its implementation. This bill establishes a reasonable and necessary framework to ensure that the introduction of new technologies enhances, rather than undermines, the work of public employees.

GenAI is rapidly transforming workplaces across the public sector, including law enforcement. While this technology has the potential to improve efficiency and support public safety operations, it also raises important concerns related to job displacement, working conditions, and the use of automated systems that may lack transparency or accountability. Decisions about the development and implementation of GenAI are often made without sufficient input from the employees most directly impacted.

Public safety professionals bring valuable, real-world experience and insight that can help ensure these tools are implemented effectively and responsibly. Providing advance notice and an opportunity to engage allows employee organizations to identify potential risks, improve outcomes, and help integrate new technologies in a way that supports both public safety and workforce stability.

AB 2656 strikes an appropriate balance by fostering collaboration between public employers and employee organizations, while ensuring that decisions impacting wages, hours, and working conditions are not made unilaterally. By requiring advance notice, the bill promotes transparency, accountability, and thoughtful implementation of emerging technologies.

ARGUMENTS IN OPPOSITION: In opposition to the bill, a coalition of local government representatives argues:

⁹ *Ibid*, pg. 3.

Like much of the public sector, local agencies are cautiously testing the use of artificial intelligence tools in day-to-day operations. Tools that promise to streamline routine activities (like the notetaking tools included in virtual meeting software such as Zoom and Teams) allow our employees to focus their time and attention on the most important components of serving the public. Often, these tools are relatively benign, like ChatGPT and Microsoft Copilot, and such tools are frequently included in off-the-shelf software ubiquitous in the modern office environment. When tools become available that assist with specific aspects of public service (like charting in a health clinic or monitoring drinking water safety), they are often vetted in partnership with employees with the mutual goals of ensuring staff is empowered to focus on certain aspects of their work and providing more efficient and effective outcomes that benefit the public.

Importantly, local agencies remain subject to the statutory provisions Meyers-Milias-Brown Act (MMBA), which require local agencies to meet and confer with recognized employee organizations regarding changes to employees' wages, hours, or terms and conditions of employment. Existing law provides a robust framework for determining when particular uses of generative artificial intelligence may actually have a significant and adverse effect on the employment relationship, in which case notification (and more) is already required. This bill is therefore both overbroad and unnecessary.

Finally, local agencies are subject to last year's AB 339 (Chapter 687, Statutes of 2025), which requires additional notice to recognized employee organizations regarding a range of local agency contracting activities, even when those activities do not rise to the level of triggering meet-and-confer obligations under the MMBA's usual standards. This additional notification requirement has been incredibly burdensome for local agencies and has required a significant amount of time, legal resources, and training to implement. The further unworkable notification provisions in this bill would exacerbate these concerns and represent another state mandate for which the state may be obligated to provide reimbursement under Article XIII B of the California Constitution.

It is also important to note the myriad other legislative measures that seek to limit the use of artificial intelligence in the public sector in multiple forms. Regardless of the benefit of any new technologies and regardless of any obligation to take such action in a public meeting, local agencies would be seriously hindered in adopting such tools under these proposals. To be sure, if some of those measures are approved by the Legislature, there will be no notification necessary as many of them would effectively impose bans on the use of most AI tools.

REGISTERED SUPPORT / OPPOSITION:

Support

Peace Officers Research Association of California (PORAC)

Opposition

California Special Districts Association
California State Association of Counties

Rural County Representatives of California
Urban Counties of California

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