AB 410 (Wilson) - Bots: disclosure

Version: April 3, 2025	**Policy Vote:** JUD. 13 - 0
Urgency: No	**Mandate:** No
Hearing Date: August 18, 2025	**Consultant:** Liah Burnley

Bill Summary: AB 410 requires a person using a bot to make specified disclosures and establishes a civil penalty for a violation.

Fiscal Impact:

- Unknown, potentially significant costs to the state funded trial court system (Trial Court Trust Fund, General Fund) to adjudicate civil actions. By authorizing a new civil penalty with statutory damages, this bill may lead to additional case filings that otherwise would not have been commenced. Expanding civil penalties could lead to lengthier and more complex court proceedings with attendant workload and resource costs to the court. The fiscal impact of this bill to the courts will depend on many unknowns, including the number of cases filed and the factors unique to each case. An eight-hour court day costs approximately $10,500 in staff in workload. While the courts are not funded on a workload basis, an increase in workload could result in delayed court services and would put pressure on the General Fund to fund additional staff and resources and to increase the amount appropriated to backfill for trial court operations.

- The Department of Justice notes that while the impact of AB 410 would not pose a significant impact to the DOJ, as numerous bills this session may result in no significant impact to the DOJ, should an aggregate of these bills chapter, the DOJ would submit a workload BCP for additional resources to process the increase to the DOJ workload.

Background: A bot is a software application that runs automated tasks on a network and can interact with computer systems or network users. Bots can be designed for many uses, but colloquially, "bot" often refers to an application that can provide information to a human user by providing automated responses through a chat or other communication system. People cannot always determine whether they are interacting with a bot or another person. For example, a customer using their bank's customer service chat tool may believe they are communicating with another live person, when in fact the customer is communicating with a bot designed to provide bank information in response to prompts and questions from the customer.

Existing law makes it unlawful for any person to use a bot to communicate or interact with another person in California online, with the intent to mislead the other person about its artificial identity for the purpose of knowingly deceiving the person about the content of the communication in order to incentivize a purchase or sale of goods or

services in a commercial transaction or to influence a vote in an election. However, a person using a bot is not liable under if the person discloses that it is a bot.

Proposed Law:

- Provides that a person who uses a bot to autonomously communicate with another shall ensure that the bot does all of the following:

  o Discloses to any person with whom the bot communicates when the bot first communicates with the person that the bot is a bot and not a human being;

  o Answers truthfully any subsequent query from a person regarding its identity as a bot or a human; and,

  o Refrains from attempting to mislead a person regarding its identity as a bot.

- Authorizes the Attorney General, a district attorney, a county counsel, a city attorney, or a city prosecutor to bring an action against a person who violates this chapter to obtain either injunctive relief or a civil penalty of $1,000 per violation.

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