

SENATE THIRD READING
SB 1000 (Becker)
As Amended August 21, 2026
2/3 vote. Urgency

SUMMARY

Amends the AI Transparency Act to address stakeholder concerns, *including by accounting for common digital licensing practices by establishing a "notice-and-cure" provision for noncompliant licensees.*

Major Provisions

- 1) Expands the Act to cover all GenAI systems, not only those that have over 1 million monthly visitors or users.
- 2) Removes a requirement for GenAI providers to allow users to include manifest disclosures in outputs.
- 3) Allows GenAI providers to direct users to third-party disclosure verification tools that meets specified requirements.
- 4) Clarifies that the Act does not apply to "minor modifications" of content by GenAI systems.
- 5) Clarifies that the Act's latent disclosure requirements apply only to the extent they are technically feasible.
- 6) Requires latent disclosures to include whether a GenAI system is designed to primarily function as assistive technology, as defined.
- 7) Updates third-party licensing language to ensure compatibility with common licensing practices. *To account for open-source licensing practices, permits covered providers to notify a noncompliant licensee instead of immediately terminating their license. If licensee fails to cure violation and report back to covered provider, requires covered provider to notify Attorney General.*
- 8) *Requires the Attorney General to establish a mechanism to receive reports from covered providers pursuant to (7).*
- 9) Makes various technical and non-substantive changes.

COMMENTS

Background. Over the past three years, as generative artificial intelligence (GenAI) technologies have become more realistic and accessible, online content that appears genuine, but is actually false, has flooded social media and other large online platforms. This unmitigated spread of synthetic content threatens to harm Californians in numerous ways, such as through the proliferation of nonconsensual deepfake pornography, scams, and the distribution of targeted political disinformation.

California has sought to tackle the issue of GenAI-produced online content through a three-step plan: label all GenAI content "fake," label a significant portion of real content "real," and prominently display these labels online. Beginning this August, SB 942 (Becker, 2024) requires large GenAI platforms to include machine-detectable "latent disclosures" in their outputs, effectively labeling this content "fake."

What this bill would do. This bill would update the AI Transparency Act to reflect stakeholder feedback prior to that law going into effect on August 2nd.

Analysis. The development of GenAI is creating exciting opportunities to grow California's economy and improve the lives of its residents. GenAI can generate compelling text, images and audio in an instant – but with novel technologies come novel safety concerns. Image manipulation and video doctoring have existed for nearly as long as photography and recording equipment, but they have historically required great effort and talent. In the past few years, the rapid development of GenAI has drastically reduced those barriers to entry, allowing a vast quantity of convincing, but ultimately fake, content to be generated in an instant. The creation of imagery, video, and audio by GenAI has the potential to change the world by automating repetitive tasks and fostering creativity. When employed by bad actors, however, these capabilities have the potential to destroy lives and destabilize societies.

Many of the issues associated with deepfakes could be resolved, if only there were a reliable way to identify GenAI content. While at present no single solution exists, there are ongoing efforts to embed information related to "content provenance," the verifiable history of a piece of content, into both GenAI products and the products of real-life recorders, such as digital cameras. Under this framework, the users of social media platforms would be able to rely on provenance data to identify trustworthy content.

Seeking to enact a comprehensive content provenance framework to combat the rapid online proliferation of AI-generated content, the Legislature passed SB 942 (Becker, Ch. 291, Stats. 2024). The resulting "AI Transparency Act" applies to "covered providers" – developers of publicly-accessible GenAI systems with over one million monthly users – requiring them to provide a free, publicly accessible tool that allows users to detect whether audio, image, or video content was generated or altered by their systems. The act permits visible disclosures and requires latent, machine-detectable provenance data to be embedded into content generated by these providers' GenAI systems, effectively requiring GenAI developers to disclose that content generated by their systems is "fake" beginning in mid-2026.

SB 1000 would amend the AI Transparency Act in response to stakeholder concerns prior to that law taking effect in August.

According to the Author

As AI technology advances, distinguishing between human and machine-generated content becomes increasingly challenging. This ambiguity poses significant risks to Californians, exacerbating problems of disinformation, harassment, and fraud while threatening the integrity of the information environment our democracy and economy depend on. In 2024, the legislature passed SB 942, the first bill in the nation to establish disclosure requirements for synthetic content. Since then, content provenance technology has developed in such a way that the leading technologies for embedding provenance are not accurately described by the law. Additionally, some methods of marking content are still in their nascency, and aren't yet robust enough to withstand adversarial exploitation or certain kinds of transformations (e.g. file compression,

spoofing attacks, added noise to an image, or file type conversions). The original act also did not address the risk that visible labels create a binary signal implying that unlabeled content is authentic and labeled content is suspect - regardless of whether either inference is warranted. Furthermore, obligations for developers established SB 942 do not require that the information embedded in AI generated or modified content be consistent - or interoperable with - widely adopted standards. Last year, AB 853 (Wicks) established obligations for large online platforms to read provenance data, but only if it was compliant with such standards. This gap risks establishing a fragmented ecosystem where new methods of provenance disclosure that aren't interoperable with current standards are not read by large online platforms, and never subsequently relayed to users. This bill is critical to ensuring California's content labeling laws are effective at providing consumers with consistent information about where the content they see online comes from.

Arguments in Support

The Center for AI and Digital Policy writes in support of a previous version of this bill:

SB 1000 is an appropriate expansion of the rights laid out in California's AI Transparency Act. Specifically, it removes the 1,000,000 user threshold from the definition of 'covered provider', expands the latent disclosure requirement to include whether content is generated or modified by AI, and replaces the 'AI detection tool' with a 'disclosure verification tool', shifting the obligation from passive detection to active and embedded disclosure. Taken together, these provisions establish meaningful protections for California consumers.

Arguments in Opposition

None on file.

FISCAL COMMENTS

According to the Assembly Appropriations Committee's analysis of this bill:

"Potential minor costs to the Department of Justice (General Fund) for enforcement."

VOTES

SENATE FLOOR: 33-1-6

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

NO: Choi

ABS, ABST OR NV: Alvarado-Gil, Dahle, Jones, Niello, Seyarto, Strickland

ASM PRIVACY AND CONSUMER PROTECTION: 15-0-0

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

ASM APPROPRIATIONS: 10-0-5

YES: Wicks, Hoover, Arambula, Caloza, Dixon, Fong, Mark González, Krell, Pacheco, Solache

ABS, ABST OR NV: Calderon, Pellerin, Sharp-Collins, Ta, Tangipa

UPDATED

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