

Date of Hearing: August 5, 2026

ASSEMBLY COMMITTEE ON APPROPRIATIONS

Buffy Wicks, Chair

SB 1146 (Gonzalez) – As Amended June 11, 2026

Policy Committee:	Privacy and Consumer Protection	Vote:	15 - 0
	Judiciary		11 - 1

Urgency: No State Mandated Local Program: Yes Reimbursable: No

SUMMARY:

This bill requires an advertisement that depicts an artificial intelligence-generated health care provider promoting a health-related consumer product or service to disclose the use of artificial intelligence.

More specifically, this bill:

- 1) Requires a person who creates or causes to be created an advertisement that includes a digital replica or synthetic performer depicted as a health care provider, to promote the sale of a health-related consumer product or service, to include a clear and conspicuous disclosure that the health care provider depicted was generated or substantially altered by artificial intelligence, or that no human health care provider is depicted.
- 2) Provides that a violation constitutes a violation of the False Advertising Law and may be enforced pursuant to the Unfair Competition Law (UCL).
- 3) Grants a natural person whose digital replica is used in a violating advertisement a civil action against the person who created the advertisement, and permits that person to seek any appropriate remedy, including injunctive relief.
- 4) Specifies that the remedies provided are cumulative and in addition to any other remedies provided by law, including the right of publicity under Section 3344 of the Civil Code.
- 5) Specifies that a violation does not constitute a misdemeanor for purposes of the article, and provides that a person is not authorized to use an individual's digital replica for commercial purposes without consent.

FISCAL EFFECT:

- 1) Court workload cost pressures of an unknown amount, likely minor to moderate (Trial Court Trust Fund (TCTF), General Fund), to adjudicate actions brought under the UCL and civil actions brought by persons whose digital replicas are used without the required disclosure and by public prosecutors. Actual costs will depend on the number of cases filed and the amount of court time needed to resolve each case. It generally costs approximately \$1,000 to operate a courtroom for one hour. Although courts are not funded on the basis of workload, increased pressure on the Trial Court Trust Fund may create a demand for increased funding for courts from the General Fund. The state budget provides annual General Fund backfills to

the Trial Court Trust Fund to offset revenue reductions, totaling approximately \$117.3 million in 2025-26.

- 2) Costs of an unknown amount, likely minor and moderate, to the Department of Justice (DOJ) to the extent the Attorney General brings enforcement actions under the UCL (Consumer Protection Fund, General Fund). Actual costs will depend on whether the Attorney General pursues investigations and enforcement actions, and, if so, the level of additional staffing DOJ needs to handle the related workload. If DOJ does not pursue investigation or enforcement as authorized by this bill, the department would likely not incur any costs.

COMMENTS:

- 1) **Purpose.** According to the author:

Californians deserve to know when the physician they encounter online is real and when it is not... This has led to a dangerous new trend of scammers using AI images of physicians to sell unproven supplements and dispense baseless medical advice.

The author states that consumers misled by AI-generated health advertising may forgo proven treatments, ingest unsafe supplements, or spend money on products with no demonstrated medical benefit.

- 2) **Background.** Generative artificial intelligence has made it substantially easier to produce convincing synthetic audio and video. Two distinct forms are addressed by this bill. A digital replica is a realistic representation of an identifiable individual, in which the individual either did not perform or appear, or did so but the fundamental character of the performance has been materially altered. A synthetic performer is an AI-generated figure that does not correspond to any identifiable natural person. Both have appeared in online health advertising. According to the Assembly Judiciary Committee analysis, reporting has documented AI-generated depictions of medical professionals promoting unproven products, including a video imitating a University of California, San Francisco endocrinologist to advertise a weight-loss product, produced without the physician's knowledge or consent. Existing regulation prohibits an advertisement from falsely describing a person as a physician, and federal regulation requires that an advertised endorser represented as an expert in fact possess that expertise. Existing law does not require an advertisement to disclose that a depicted health care provider is not a real person. This bill fills that gap by requiring disclosure rather than prohibiting the underlying conduct.
- 3) **Related Legislation.** SB 1050 (Ashby) similarly requires disclosure when generative artificial intelligence is used in advertisements and, as amended, expressly excludes violations of this bill to avoid duplicative liability. SB 1050 is pending in this committee.
- 4) **Prior Legislation.** AB 489 (Bonta), Chapter 615, Statutes of 2025, prohibited artificial intelligence systems from misrepresenting themselves as licensed or certified health care professionals.