

SENATE THIRD READING
SB 300 (Padilla)
As Amended January 5, 2026
Majority vote

SUMMARY

Revises existing duties of companion chatbot platform operators to minor users.

Major Provisions

- 1) Provides that a companion chatbot operator's duties to minors apply when the operator has actual knowledge that a user is a minor.
- 2) Requires an operator to prevent, rather than institute reasonable measures to prevent, a companion chatbot from producing or facilitating the exchange of material of sexually explicit conduct, or directly stating that the minor should engage in sexually explicit conduct.

COMMENTS

Last year's SB 243 (Padilla, Chapter. 677, Statutes. 2025) requires chatbot platforms to establish protocols to detect, remove, and respond to instances of suicidal ideation, suicide, or self-harm expressed by users. SB 243 further requires operators to disclose to known minors that they are interacting with artificial intelligence (AI), provide periodic reminders to take a break and that the chatbot is AI, and "institute reasonable measures to prevent its chatbot from producing visual material of sexually explicit conduct or directly stating that the minor should engage in sexually explicit conduct."

This bill clarifies that the obligations related to minors apply when the operator has actual knowledge the minor is a user. The bill also removes the phrase "institute reasonable measures" and replaces the term "visual" with "facilitating the exchange of," thereby strengthening and expanding protections related to sexually explicit outputs directed at minors.

According to the Author

Last year, I authored SB 243, which set necessary and vital guardrails around Artificial Intelligence companion chatbot technology. This bill was a critical first step towards making AI chatbots safer. SB 300 continues the valuable work done last year by strengthening the protections for minor users against AI exposing them to sexually explicit material. As AI technology rapidly evolves, we must ensure that we have the strongest safeguards in place to protect the most vulnerable among us, our children.

Arguments in Support

The American Academy of Pediatrics, California writes:

Artificial intelligence technologies are rapidly becoming integrated into the daily lives of young people. While these technologies offer potential benefits, companion chatbots also present significant risks when they are designed to simulate human relationships, provide emotional support, or engage in highly personalized conversations with children and adolescents. SB 300 takes a necessary and measured step to ensure that operators of these platforms implement stronger protections for minors and prevent harmful interactions before they occur.

California's youth are experiencing unprecedented levels of mental health challenges. According to the California Health Care Foundation, approximately one in three California adolescents report persistent feelings of sadness or hopelessness. Suicide remains one of the leading causes of death among young people in California and nationwide. At the same time, young people are increasingly turning to online platforms and digital technologies for information, companionship, and emotional support. When companion chatbots are designed to mimic human relationships, vulnerable youth may perceive these systems as trusted confidants despite their inability to provide appropriate clinical, developmental, or safety-based responses.

Research demonstrates that adolescents are particularly susceptible to social influence and may have difficulty distinguishing between authentic human relationships and sophisticated AI-generated interactions. Companion chatbots can create a false sense of emotional attachment, potentially increasing risks for youth experiencing loneliness, depression, anxiety, social isolation, or other mental health concerns. These risks are especially concerning for younger users who may not fully understand the limitations of artificial intelligence systems.

SB 300 appropriately recognizes that operators should not be permitted to avoid responsibility simply because they lack direct confirmation of a user's age. By establishing a constructive knowledge standard, the bill ensures that companies must take reasonable steps to protect minors when circumstances indicate that a user is likely underage. This approach reflects the reality of how modern digital platforms collect and utilize information about their users and aligns with California's longstanding commitment to protecting children online.

The bill also strengthens safeguards against sexually explicit content and interactions. Exposure to sexual content during childhood and adolescence has been associated with adverse developmental, emotional, and behavioral outcomes. According to the California Healthy Kids Survey, a substantial proportion of youth report regular online activity and exposure to digital content through social media and other internet-based platforms. As AI systems become increasingly interactive and personalized, it is critical that companion chatbots are prohibited not only from generating sexually explicit content but also from facilitating exchanges or proposals involving such content when minors are involved.

California has consistently led the nation to advance policies that protect children in digital environments, including the California Age-Appropriate Design Code Act and recent legislation addressing online safety. SB 300 builds upon these efforts by addressing emerging risks posed by companion chatbot technologies while preserving opportunities for responsible innovation.

As artificial intelligence continues to evolve, policymakers must ensure that safeguards evolve as well. Children and adolescents deserve protections that reflect both the capabilities and risks of these technologies. SB 300 establishes reasonable, common-sense standards that prioritize child safety, support healthy development, and help prevent foreseeable harms.

Arguments in Opposition

TechNet, Chamber of Commerce, and Computer & Communications Industry Association jointly write:

Expanding Statutory Obligations Before Enforcement

SB 300 would replace key reasonableness-based standards adopted in SB 243 with a mandate to prevent the production of prohibited material and to broaden prohibited conduct to include "facilitating the exchange" of sexually explicit material. These are not clarifying or technical changes; they fundamentally alter the legal standard adopted by the legislature.

At this stage, there is no demonstrated need for these changes and no clear gaps that the proposed language would fill. It is concerning to amend and expand statutory obligations before the Legislature, regulators, courts, companies, or other stakeholders have had any opportunity to observe how the original law operates in practice.

Interaction with the Private Right of Action

These changes are particularly consequential because they are paired with a private right of action already embedded in statute. When combined with a strict "prevent" standard, SB 300 risks turning what was framed as a requirement to implement appropriate protections for children into a de facto strict liability regime.

Under this structure, a single instance of content that is alleged not to have been "prevented" could trigger liability, regardless of the safeguards deployed, the probabilistic nature of AI systems, or the operator's good-faith efforts to comply.

This approach departs from traditional negligence principles and risks treating entities that take extensive, good-faith compliance measures the same as those that take none.

SB 243 has not yet been fully implemented, interpreted, or enforced. SB 300 would substantially revise that framework before any evidence that the existing law is insufficient, while simultaneously increasing liability exposure through an already powerful enforcement mechanism.

FISCAL COMMENTS

According to the Appropriations Committee:

Cost pressures (Trial Court Trust Fund, General Fund) of an unknown but potentially significant amount to the courts to adjudicate any additional filings. Violations of the operator duties amended by this bill are actionable under the existing private right of action in Business and Professions Code Section 22605, and by replacing the "reasonable measures" standard with a duty to prevent the specified outputs and broadening the covered material, this bill could increase the number of actionable violations and resulting civil filings. 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.

VOTES**SENATE FLOOR: 38-0-2**

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

ABS, ABST OR NV: Gonzalez, Jones

ASM PRIVACY AND CONSUMER PROTECTION: 12-1-2

YES: Bauer-Kahan, Bryan, Hoover, Lowenthal, McKinnor, Ortega, Patterson, Pellerin, Petrie-Norris, Ward, Bennett, Wilson

NO: DeMaio

ABS, ABST OR NV: Macedo, Irwin

ASM APPROPRIATIONS: 13-0-2

YES: Wicks, Hoover, Arambula, Calderon, Caloza, Dixon, Fong, Mark González, Krell, Pacheco, Pellerin, Sharp-Collins, Solache

ABS, ABST OR NV: Ta, Tangipa

UPDATED

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