
UNFINISHED BUSINESS

Bill No: SB 576
Author: Umberg (D), et al.
Amended: 8/25/25 in Assembly
Vote: 21

SENATE BUS., PROF. & ECON. DEV. COMMITTEE: 11-0, 4/28/25
AYES: Ashby, Choi, Archuleta, Arreguín, Grayson, Menjivar, Niello,
Smallwood-Cuevas, Strickland, Umberg, Weber Pierson

SENATE FLOOR: 38-0, 5/28/25
AYES: Allen, Alvarado-Gil, Archuleta, Arreguín, Ashby, Becker, Blakespear,
Cabaldon, Caballero, Choi, Cortese, Dahle, Durazo, Gonzalez, Grayson, Grove,
Hurtado, Jones, Laird, Limón, McGuire, McNerney, Menjivar, Niello, Ochoa
Bogh, Padilla, Pérez, Richardson, Rubio, Seyarto, Smallwood-Cuevas, Stern,
Strickland, Umberg, Valladares, Wahab, Weber Pierson, Wiener
NO VOTE RECORDED: Cervantes, Reyes

ASSEMBLY FLOOR: 71-0, 9/4/25 - See last page for vote

SUBJECT: Video streaming services: commercial advertisements

SOURCE: Author

DIGEST: This bill, beginning July 1, 2026, prohibits a video streaming service that serves California consumers from transmitting the audio of commercial advertisements louder than the video content the advertisements accompany.

Assembly Amendments add delayed implementation and state the bill does not create a private right of action.

ANALYSIS:

Existing federal law establishes standards for the transmission of commercial advertisements by a television broadcast station, cable operator, or other multichannel video programming distributor by requiring, within 1 year after December 15, 2010, the Federal Communications Commission (FCC) to establish a regulation for the "Recommended Practice: Techniques for Establishing and Maintaining Audio Loudness for Digital Television" (Advanced Television Systems Committee's (ATSC) A/85 Recommended Practice ("ATSC A/85 RP") (47 U.S.C. § 621)

This bill:

- 1) Beginning July 1, 2026, prohibits a video streaming service that serves California consumers from transmitting the audio of commercial advertisements louder than the video content the advertisements accompany, consistent with the regulations adopted by the Federal Communications Commission pursuant to the Commercial Advertisement Loudness Mitigation (CALM) Act (Public Law 111-311) for television broadcast stations, cable operators, and other multichannel video programming distributors.
- 2) Defines "Video programming" as having the same meaning as the term is defined in Section 613(h) of Title 47 of the United States Code, which is programming by, or generally considered comparable to programming provided by a television broadcast station, but not including consumer-generated media.
- 3) Defines "Video streaming service" as an entity that makes video programming or video content the entity makes available for users to view. Specifies that "video streaming service" does not include a television broadcast station, cable operator, or other multichannel video programming distributor, or an entity that serves video programming or video content without commercial advertisements.
- 4) States that this bill does not create a private right of action.

Background

According to the FCC, Congress enacted the CALM Act to direct the FCC to establish rules to require commercials to have the same average volume as the programs they accompany. These rules went into effect on December 13, 2012. Specifically, the CALM Act directs the FCC to establish rules that require TV

stations, cable operators, satellite TV providers or other multichannel video program distributors to apply the ATSC A/85 RP to commercial advertisements they transmit to viewers. The ATSC A/85 RP is a set of methods to measure and control the audio loudness of digital programming, including commercials. This standard can be used by all broadcast television stations and pay TV providers. The ATSC practice does not set an absolute cap on loudness. Rather, it requires commercials to have the same average volume as the programming they accompany, so that the volume a consumer chooses is the one at which both the programming and the advertisements will air. The FCC relies on consumer complaints to monitor industry compliance.

In 2023, Senator Sheldon Whitehouse (D-RI) and Representative Anna G. Eshoo (D-CA) introduced legislation, S. 1127 and H.R. 2422, to extend the CALM Act's prohibitions to all ad-supported streaming services to ensure that the volume of commercials on streaming services is not louder than regular programming. It also grants the FCC the ability to investigate and enforce violations of the CALM Act by broadcast, cable, and satellite TV operators and requires a study analyzing the effectiveness of the CALM Act in moderating ad loudness. The measures were referred to their respective policy committees, but it appears no further action was taken.

FISCAL EFFECT: Appropriation: No Fiscal Com.: No Local: No

SUPPORT: (Verified 9/4/25)

None received

OPPOSITION: (Verified 9/4/25)

Motion Picture Association

ARGUMENTS IN OPPOSITION: The Motion Picture Association says that since streaming services are working voluntarily to address the issue of loud advertisements, SB 576 is unnecessary. They note that Many streaming services have undertaken reasonable efforts to adjust the loudness of advertisements that come from server-side ad insertion that may be inconsistent with the loudness of the programs. Streaming services have worked with other stakeholders through the Interactive Advertising Bureau and the Audio Engineering Society to establish best practices for the “normalizing” of the loudness of advertising.

ASSEMBLY FLOOR: 71-0, 9/4/25

AYES: Addis, Aguiar-Curry, Alanis, Alvarez, Arambula, Ávila Farías, Bains, Bauer-Kahan, Bennett, Berman, Boerner, Bonta, Bryan, Calderon, Caloza, Carrillo, Chen, Connolly, Davies, DeMaio, Dixon, Elhawary, Ellis, Fong, Gabriel, Gallagher, Garcia, Gipson, Jeff Gonzalez, Hadwick, Haney, Harabedian, Hart, Hoover, Irwin, Jackson, Kalra, Krell, Lee, Lowenthal, Macedo, McKinnor, Muratsuchi, Nguyen, Ortega, Pacheco, Papan, Patel, Patterson, Pellerin, Petrie-Norris, Quirk-Silva, Ramos, Ransom, Celeste Rodriguez, Michelle Rodriguez, Rogers, Blanca Rubio, Sanchez, Schiavo, Schultz, Sharp-Collins, Soria, Stefani, Valencia, Wallis, Ward, Wicks, Wilson, Zbur, Rivas

NO VOTE RECORDED: Ahrens, Castillo, Flora, Mark González, Lackey, Solache, Ta, Tangipa

Prepared by: Sarah Mason / B., P. & E.D. /
9/6/25 10:40:15

**** END ****