SB 1235 (Gonzalez) Artificial Intelligence and Deepfake Working Group

SUMMARY

Senate Bill (SB) 1235 will require a public institute of higher education to establish an Artificial Intelligence and Deepfake Working Group (Working Group) to study the risks, impacts, benefits, and legal implications of artificial intelligence (AI) and deepfakes.

EXISTING LAW

SB 1216 (Gonzalez, Chapter 885, Statutes of 2022) required the Government Operations Agency to evaluate the impact of deepfakes and the risks associated with the deployment of digital content forgery technologies on government, businesses, and California residents.

US Senate Bill 2559, introduced in the United States Senate in 2021 by Senator Robert Portman of Ohio, sought to establish the National Deepfake and Digital Provenance Task Force, and charge it with investigating the feasibility of developing standards and technologies for determining digital content provenance.

Assembly Bill (AB) 2658 (Calderon, Chapter 875, Statutes of 2018) established a Blockchain Working Group, under the Government Operations Agency and tasked it with evaluating the uses of blockchain in California including studying the benefits, risks, privacy concerns, and legal implications associated with the adoption of blockchain.

BACKGROUND/PROBLEM

Advances in the development of AI and deepfake technology will revolutionize countless aspects of our daily lives, and have already left Californians struggling to grapple with the new and changing implications of these technologies. While AI will undoubtedly bring about incredible innovations in science, healthcare, and technology, there are many potential impacts that have yet to be fully understood.

These impacts will require intentional dialogue among issue area experts on how the State's laws should evolve and adapt as these new and dynamic technologies continue to rapidly advance.

Deepfakes are especially troubling, as they are a type of digital content forgery which use AI to create or manipulate audio, visual, or text content with the intent to mislead a viewer. The potential of these digital forgeries is far reaching and will have implications for national security, influence on elections, and even how journalists and media verify the provenance of information before it's reported as factual news.

The rise of AI and deepfakes has created a new frontier of technology and created a number of ethical, legal, and policy questions that are not easily answered. While a number of recently introduced bills have begun to tackle some of the more immediate policy questions that this new technology presents, there are still numerous unknown and complex implications for privacy rights, governmental communication, media accuracy, copyright

infringement, and other legal repercussions that can't be easily addressed, or predicted, without thoughtful dialogue amongst informed stakeholders.

SOLUTION

SB 1235 takes the first step in addressing the numerous and complex issues associated with AI and deepfake technology by tasking a public university in California with engaging expert stakeholders to study, research, discuss, and report on these novel issues and how California can confront them in real time.

Specifically, SB 1235 charges the working group with evaluating the risks, privacy impacts, workforce impacts, and legal implications of the proliferation of AI and deepfake technologies. The working group will be required to solicit input from a broad range of stakeholders whose interests include privacy, consumer protection, courts, academia, organized labor, business, education, and state and local government.

Finally SB 1235 will require the working group to annually report to the Legislature and the public on their research and findings.

SUPPORT

None at This Time

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