**CALIFORNIA LEGISLATURE—2025-2026 SIMULATION SESSION**

SENATE BILL                                                                    NO 67

Introduced by Senator Wiener
(Co-Sponsor: Senator Rubio)

October 1, 2025

Amendment and addition to Penal Code Section 314 regarding the presence of AI in the courtroom.

LEGISLATIVE COUNSEL'S DIGEST

SB 67, as introduced, Senator Wiener. AI Evidence Integrity Act

Existing law prohibits the submission of forged or false documents as evidence in judicial proceedings and similarly prohibits the preparation of fraudulent evidence with the intent to present it in such proceedings as veridical. Penal Code Section 134 explicitly details that presenting false evidence is a felony crime. However, no mention of AI content exists within the section of the code. The penal code does not explicitly mention AI-fabricated evidence (deepfakes, AI text, synthetic voice/video).

This is understandable, as AI generated content is new and emerging technology. Lawmakers have not had the time to adopt legislation that would limit its impact on the judicial process.

This bill proposes making it a felony to knowingly create, alter, distribute, or present content that is artificially generated, such as deepfakes or other AI generated materials, with the intention that it be utilized or relied upon in a judicial proceeding, police investigation, or any official context, when the individual is aware that the content is false.

Vote: majority   Appropriation: no   Fiscal Committee: no   Local Program: no

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

**SECTION 1** The Legislature finds and declares the following:

(a) Generative AI technology has the potential to disrupt the judicial process by becoming a tool for ill-meaning individuals to create false documents, videos, audios and other forms of media that would misrepresent reality and disturb the process of the law.

(b) California must impede the corruption of the judicial process by criminalizing the use of technology against the truth.

**SEC. 2.** (a) Definitions. For purposes of this bill:

(2) "Generative artificial intelligence" or "generative AI" means a computer-based system that uses machine learning or similar techniques to produce new content—such as text, images, audio, video, or data visualizations—in response to user text and/or image inputs. Generative AI systems create content that is not pre-programmed or explicitly retrieved from a database but synthesized based on underlying models trained on large datasets and may include integration with other sources, such as real-time access to proprietary databases.

(2) "Judicial procedure" means the full term during which a person is being charged and tried for a criminal charge by a local, county or state prosecutor.

**SEC. 3.** Section 134 of the penal Code is amended to read:

(a) Every person guilty of preparing any false or ante-dated book, paper, record, instrument in writing, *audio and/or visual generative AI deepfake,* or other matter or thing, with intent to produce it, or allow it to be produced for any fraudulent or deceitful purpose, as genuine or true, upon any trial, proceeding, or inquiry whatever, authorized by law, is guilty of felony.

**SEC. 4.** Section 134.1 is added to the Penal Code to read:

(a) Any person who knowingly creates, alters, or distributes artificially generated content, with the intent that it be presented or relied upon in any trial, hearing, police investigation, or other official law enforcement or judicial proceeding, and with the knowledge that the content is false or artificially fabricated, is guilty of a ==felony== punishable by imprisonment pursuant to subdivision (h) of Section 1170 for 16 months or two or three years.

(b) Exempt uses of Generative AI in the courtroom include:

(1) This section does not apply to artificially generated content created and used solely for expressive, satirical, or parodic purposes, unless such content is knowingly misrepresented as authentic evidence within the courtroom and throughout the judicial procedure.

(2) This section does not apply to the lawful use of artificial intelligence tools by law enforcement, attorneys, or experts to enhance, clarify, or analyze authentic evidence, provided such use is accurately disclosed within the courtroom and throughout the judicial procedure.

(c) In determining the admissibility of evidence involving or derived from artificial intelligence, the court shall retain discretion to evaluate such evidence on a case-by-case basis, consistent with existing rules of evidence and the interests of justice.