

ASSEMBLY BILL

No. 853

Introduced by Assembly Member Wicks

February 19, 2025

An act to amend Section 22757.2 of the Business and Professions Code, relating to artificial intelligence.

LEGISLATIVE COUNSEL’S DIGEST

AB 853, as introduced, Wicks. California AI Transparency Act.

The California AI Transparency Act requires a person that creates, codes, or otherwise produces a generative artificial intelligence system that has over 1,000,000 monthly visitors or users and is publicly accessible within the geographic boundaries of the state to make available an AI detection tool at no cost to the user that, among other things, allows a user to assess whether image, video, or audio content, or content that is a combination thereof, was created or altered by that person’s generative artificial intelligence system.

This bill would make a nonsubstantive change to that provision.

Vote: majority. Appropriation: no. Fiscal committee: no.
State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 22757.2 of the Business and Professions
- 2 Code is amended to read:
- 3 22757.2. (a) A covered provider shall make available an AI
- 4 detection tool at no cost to the user that meets all of the following
- 5 criteria:

1 (1) The tool allows a user to assess whether image, video, or
2 audio content, or content that is ~~any~~ a combination thereof, was
3 created or altered by the covered provider's GenAI system.

4 (2) The tool outputs any system provenance data that is detected
5 in the content.

6 (3) The tool does not output any personal provenance data that
7 is detected in the content.

8 (4) (A) Subject to subparagraph (B), the tool is publicly
9 accessible.

10 (B) A covered provider may impose reasonable limitations on
11 access to the tool to prevent, or respond to, demonstrable risks to
12 the security or integrity of its GenAI system.

13 (5) The tool allows a user to upload content or provide a uniform
14 resource locator (URL) linking to online content.

15 (6) The tool supports an application programming interface that
16 allows a user to invoke the tool without visiting the covered
17 provider's internet website.

18 (b) A covered provider shall collect user feedback related to the
19 efficacy of the covered provider's AI detection tool and incorporate
20 relevant feedback into any attempt to improve the efficacy of the
21 tool.

22 (c) A covered provider shall not do any of the following:

23 (1) (A) Except as provided in subparagraph (B), collect or retain
24 personal information from users of the covered provider's AI
25 detection tool.

26 (B) (i) A covered provider may collect and retain the contact
27 information of a user who submits feedback pursuant to subdivision
28 (b) if the user opts in to being contacted by the covered provider.

29 (ii) User information collected pursuant to clause (i) shall be
30 used only to evaluate and improve the efficacy of the covered
31 provider's AI detection tool.

32 (2) Retain any content submitted to the AI detection tool for
33 longer than is necessary to comply with this section.

34 (3) Retain any personal provenance data from content submitted
35 to the AI detection tool by a user.