SENATE BILL   **No. 1235**

Introduced by Senator Gonzalez

February 15, 2024

An act to add Chapter 8 (commencing with Section 99500) to Part 65 of Division 14 of Title 3 of the Education Code, relating to public postsecondary education.

LEGISLATIVE COUNSEL'S DIGEST

SB 1235, as amended, Gonzalez. Public postsecondary education: Artificial Intelligence and Deepfake Working Group.

Existing law requires the Secretary of Government Operations, upon appropriation by the Legislature, to evaluate, among other things, the impact the proliferation of deepfakes, as defined, has on state government, California-based businesses, and residents of the state, and the risks, including privacy risks, associated with the deployment of digital content forgery technologies and deepfakes on state and local government, California-based businesses, and residents of the state.

Existing law establishes the California Community Colleges, the California State University, and the University of California as the public segments of postsecondary education in the state.

This bill would require ~~an unspecified~~ *California State University, Long Beach, in consultation with other* public ~~institution~~ *institutions* of higher ~~education~~ *education,* to establish the Artificial Intelligence and Deepfake Working ~~Group to evaluate and advise the Legislature and the public on the relevant issues and impacts of artificial intelligence and deepfakes, as provided.~~ *Group, and authorize California State University, Long Beach to develop a scoping plan in the first year to establish the topics that may be evaluated by, and the stakeholders that*

may be included in, the working group. The bill would ~~require~~ *authorize California State University, Long Beach to include, as part of* the working ~~group to consist of~~ *group,* at least one representative of ~~9~~ *10* specified interests, the Secretary of the Government Operations Agency, the Executive Director of the California Privacy Protection Agency, and the Secretary of State, or their designees. The bill would require the working group, on or before January 1, 2026, and annually thereafter, to submit a report to the Legislature on the working group's research and findings related to the relevant issues and impacts of artificial intelligence and deepfakes evaluated by the working group, as specified.

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

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

1 SECTION 1. Chapter 8 (commencing with Section 99500) is
2 added to Part 65 of Division 14 of Title 3 of the Education Code,
3 to read:
4
5 Chapter 8. Artificial Intelligence and Deepfake
6 Working Group
7
8 99500. As used in this article, the following definitions apply:
9 (a) "Artificial intelligence" means a machine-based system that
10 can, for a given set of human-defined objectives, make predictions,
11 recommendations, or decisions influencing real or virtual
12 environments. Artificial intelligence systems use machine- and
13 human-based inputs to do all of the following:
14 (1) Perceive real and virtual environments.
15 (2) Abstract those perceptions into models through analysis in
16 an automated manner.
17 (3) Use model inferences to formulate options for information
18 or action.
19 (b) "Deepfake" means audio or visual content that has been
20 generated or manipulated by artificial intelligence that would
21 falsely appear to be authentic or truthful and that features depictions
22 of people appearing to say or do things they did not say or do
23 without their consent.
24 (c) "Digital content forgery" means the use of technologies,
25 including artificial intelligence and machine learning techniques,

1 to fabricate or manipulate audio, visual, or text content with the
2 intent to mislead.
3 (d) "Digital content provenance" means the verifiable
4 chronology of the original piece of digital content, such as an
5 image, video, audio recording, or electronic document.
6 99501. (a) A~~A~~ *The California State University, Long Beach, in*
7 *consultation with other* public ~~institution~~ *institutions* of higher
8 ~~education~~ *education,* shall establish the Artificial Intelligence and
9 Deepfake Working Group.
10 ~~(b) The working group shall evaluate and advise the Legislature~~
11 ~~and the public on the relevant issues and impacts of artificial~~
12 ~~intelligence and deepfakes, including, but not limited to, all of the~~
13 ~~following:~~
14 *(b) The California State University, Long Beach may develop*
15 *a scoping plan in the first year to establish the topics that may be*
16 *evaluated by, and the stakeholders that may be included in, the*
17 *working group. The scoping plan may address the following topics:*
18 (1) The impact of the proliferation of artificial intelligence and
19 deepfakes on state and local government, California-based
20 businesses and the workforce, elementary, secondary, and
21 postsecondary education, and residents of the state.
22 (2) The risks, including privacy risks, associated with artificial
23 intelligence and the deployment of digital content forgery
24 technologies and deepfakes on state and local government,
25 California-based businesses, institutions of higher education, and
26 residents of the state.
27 (3) The potential impact on the workforce and strategies to
28 protect employees and to prevent potential job loss due to artificial
29 intelligence proliferation.
30 (4) The impact of artificial intelligence, digital content forgery
31 technologies, and deepfakes on civic engagement, including voting
32 and elections.
33 (5) The legal implications and privacy impacts associated with
34 the use of artificial intelligence, digital content forgery
35 technologies, deepfakes, and technologies allowing public
36 verification of digital content provenance.
37 (c) The ~~working group shall~~ *California State University, Long*
38 *Beach shall, if developing the scoping plan described in subdivision*
39 *(b),* solicit input from a broad range of stakeholders with a diverse
40 range of interests affected by emerging artificial intelligence and

1 deepfake technologies. ~~The diverse range of interests shall include,~~
2 ~~but not be limited to, stakeholders representing privacy, business,~~
3 ~~consumer protection, courts, the legal community, academia,~~
4 ~~organized labor, the workforce, education, and state government.~~
5   (d) (1) The *California State University, Long Beach may*
6 *include, as part of the* working ~~group shall, at minimum, consist~~
7 ~~of~~ *group,* at least one representative from all of the following:
8   (A) Those in the workforce impacted by potential job loss due
9 to artificial intelligence adoption.
10   (B) Organized labor unions.
11   (C) Nontechnology-related industries.
12   (D) The legal community who can advise on the legal
13 implications of artificial intelligence.
14   (E) Privacy rights organizations.
15   (F) Consumer protection organizations.
16   (G) The technology industry, with a technical focus that includes
17 digital content, media manipulation, or related subjects.
18   (H) Elementary, secondary, and postsecondary education,
19 including staff, teachers, faculty, and students.
20   (I) Experts in elections and election safety.
21   *(J) Ethicists or specialists in ethics.*
22   (2) The *California State University, Long Beach may also*
23 *include, as part of the* working ~~group shall also include~~ *group,* all
24 of the following:
25   (A) The Secretary of Government Operations or their designee.
26   (B) The Executive Director of the California Privacy Protection
27 Agency or their designee.
28   (C) The Secretary of State or their designee.
29   (e) (1) Notwithstanding Section 10231.5 of the Government
30 Code, on or before January 1, 2026, and annually thereafter, the
31 working group shall submit a report to the Legislature on the
32 working group's research and ~~findings related to~~ *findings,*
33 *including, but not limited to, research and findings related to* the
34 issues and impacts ~~evaluated~~ *identified* pursuant to subdivision
35 (b). The working group shall make the report publically available.
36   (2) A report submitted pursuant to paragraph (1) shall be
37 submitted in compliance with Section 9795 of the Government
38 Code.
39   (f) The ~~public institution of higher education that establishes~~
40 ~~the working group, as provided in subdivision (a), shall~~ *California*

1 *State University, Long Beach may* consult with the Government
2 Operations ~~Agency and~~ *Agency,* the California Privacy Protection
3 ~~Agency~~ *Agency, or any state or local agency* on the establishment
4 of the working group.
5 (g) Meetings of the working group shall be subject to the
6 Bagley-Keene Open Meeting Act (Article 9 (commencing with
7 Section 11120) of Chapter 1 of Part 1 of Division 3 of Title 2 of
8 the Government Code).

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