

Introduced by Senator PadillaFebruary 18, 2025

An act relating to artificial intelligence.

LEGISLATIVE COUNSEL'S DIGEST

SB 420, as introduced, Padilla. Individual rights.

The California AI Transparency Act requires a covered provider, as defined, of a generative artificial intelligence system to make available an AI detection tool at no cost to the user that meets certain criteria, including that the tool outputs any system provenance data, as defined, that is detected in the content. The California Consumer Privacy Act of 2018 grants a consumer various rights with respect to personal information that is collected or sold by a business, as defined, including the right to direct a business that sells or shares personal information about the consumer to third parties not to sell or share the consumer's personal information, as specified.

This bill would express the intent of the Legislature to enact legislation that would relate to strengthening, establishing, and promoting certain rights and values related to artificial intelligence.

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. The Legislature finds and declares all of the
- 2 following:
- 3 (a) (1) Artificial intelligence technologies are becoming an
- 4 integral part of daily life in California and have profound
- 5 implications for privacy, equity, fairness, and public safety.

(2) It is critical to protect individuals' rights to safeguard against potential harms, including discrimination, privacy violations, and unchecked automation in critical decisionmaking processes.

(3) A comprehensive set of rights must be established to ensure artificial intelligence technologies align with the public interest and reflect the values of California residents.

(b) (1) Individuals should have the right to receive a clear and accessible explanation about how artificial intelligence systems operate, including the data they use and the decisions they make.

(2) An entity that uses artificial intelligence systems to make decisions impacting California residents should provide a mechanism to inform individuals of the system's logic, processing methods, and intended outcomes in a manner that is understandable.

(c) (1) All individuals have the right to control their personal data in relation to artificial intelligence systems. Artificial intelligence systems should operate with the highest standards of data privacy and security, in line with the California Consumer Privacy Act of 2018 and other relevant privacy laws.

(2) Before personal data is used in artificial intelligence systems, entities should obtain informed, explicit consent from individuals, and individuals should have the right to withdraw consent at any time without penalty.

(3) Entities should ensure that personal data used by artificial intelligence systems is anonymized or pseudonymized if feasible, and data retention should be limited to the purposes for which the data was initially collected.

(d) (1) Artificial intelligence systems should not discriminate against individuals based on race, gender, sexual orientation, disability, religion, socioeconomic status, or other protected characteristics under California law.

(2) Entities deploying artificial intelligence technologies should perform regular audits to identify and address any biases or inequities in their artificial intelligence systems and should ensure that artificial intelligence systems are designed and trained to promote fairness and equal treatment.

(e) (1) Individuals should have the right to hold entities accountable for any harm caused by artificial intelligence systems, and entities should be liable for the actions and decisions made by artificial intelligence technologies they deploy.

1 (2) An individual or group adversely affected by artificial
2 intelligence-driven decisions should have access to a
3 straightforward and transparent process for seeking redress,
4 including the ability to challenge those decisions through human
5 review and appeal mechanisms.

6 (f) (1) Individuals should have the right to request human
7 oversight for significant decisions made by artificial intelligence
8 systems that impact them, particularly in areas such as employment,
9 health care, housing, education, and criminal justice.

10 (2) Artificial intelligence systems in high-stakes decisionmaking
11 contexts should involve human review or intervention before final
12 decisions, ensuring that automated decisions align with human
13 values and public policy goals.

14 SEC. 2. It is the intent of the Legislature to enact legislation
15 that would relate to strengthening, establishing, and promoting the
16 rights and values described in Section 1 of this act.