

Senate Bill No. 1050

CHAPTER 246

An act to add Article 10 (commencing with Section 17610) to Chapter 1 of Part 3 of Division 7 of the Business and Professions Code, relating to consumer protection.

[Approved by Governor September 16, 2026. Filed with
Secretary of State September 16, 2026.]

LEGISLATIVE COUNSEL'S DIGEST

SB 1050, Ashby. False advertising: synthetic performers.

Existing law makes it a misdemeanor for a person or a firm, corporation, or association, or any employee thereof, to engage in false or misleading advertising practices. Existing law makes various unfair competition practices unlawful, including any unlawful, unfair, or fraudulent business act or practice and unfair, deceptive, untrue, or misleading advertising.

This bill would make it an unlawful advertising practice for a person to create and cause to be published in an advertising medium an advertisement that prominently includes a synthetic performer without a clear and conspicuous disclosure that the advertisement includes a synthetic performer. The bill would prohibit an advertising medium from transmitting, distributing, displaying, airing, or otherwise making available an advertisement containing a synthetic performer if a court of competent jurisdiction has issued an order finding that the advertisement violates the bill's provisions or enjoining the creator from publishing the advertisement, and the advertising medium is served with the order, as specified. The bill would define various terms for these purposes. By expanding the scope of a crime, the bill would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

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

SECTION 1. (a) The Legislature finds and declares as follows:

(1) Consumers have a substantial interest in knowing when an advertisement uses a synthetic performer in a manner that could reasonably be interpreted as a human performance.

(2) Requiring a factual disclosure regarding the use of a synthetic performer is necessary to prevent deceptive or misleading advertising practices.

(b) It is the intent of the Legislature that the disclosure required by this act is a purely factual commercial disclosure consistent with constitutional protections for commercial speech.

SEC. 2. Article 10 (commencing with Section 17610) is added to Chapter 1 of Part 3 of Division 7 of the Business and Professions Code, to read:

Article 10. Synthetic Performers

17610. (a) For purposes of this section, the following definitions apply:

(1) “Advertisement” means any audio, video, or audiovisual message, statement, audiovisual recording, digital communication, or other representation disseminated in any manner or by any means, including through online platforms, that is intended to induce, or that is reasonably expected to induce, the purchase of goods or services, as described in Section 17500.

(2) (A) “Advertising medium” means any broadcast station, cable operator, multichannel video programming distributor, online platform, streaming service, digital advertising network, publisher, or other person or entity that distributes, displays, transmits, or makes available an audio or audiovisual advertisement to consumers in this state.

(B) “Advertising medium” does not include a person or entity that is not capable of removing, disabling access to, or ceasing further dissemination of, an advertisement.

(3) “Clear and conspicuous disclosure” means a disclosure that is difficult to miss, easily understandable, and presented in a manner that a reasonable consumer would notice, read, and comprehend, taking into account the medium, format, and context in which the advertisement appears.

(4) “Generative artificial intelligence” means an artificial intelligence system that can generate derived synthetic content, such as text, images, video, and audio, that emulates the structure and characteristics of the system’s training data.

(5) “Prominently” means the synthetic performer is any of the following:

(A) In the foreground and demonstrating or illustrating the product or service.

(B) Providing or voicing the on- or off-camera narration or commercial message.

(C) Illustrating or reacting to the on- or off-camera narration or commercial message.

(6) “Synthetic performer” means a digital figure, voice, or representation created in whole or in part using generative artificial intelligence that creates the realistic impression of the audio, audiovisual, or visual performance of a human performer who is not recognizable as any identifiable natural person.

(b) It is unlawful for any person to create and cause to be published in an advertising medium an advertisement that prominently includes a synthetic performer without a clear and conspicuous disclosure that the advertisement includes a synthetic performer.

(c) A disclosure required by this section shall use wording substantially similar to “this performance features a synthetic performer” or “no human performer is depicted.”

(d) Nothing in this section shall be construed to do any of the following:

(1) Restrict or prohibit the creation, distribution, or exhibition of synthetic content.

(2) Regulate the expressive or informational content of an advertisement, except to require the factual disclosure described in subdivision (b).

(3) Affect or limit any rights or remedies available under Section 17200 or 17500 or any other law concerning deceptive, unfair, or misleading business practices.

(4) Apply to advertisements for expressive works, including, but not limited to, motion pictures, television programs, streaming content, documentaries, video games, or other similar audio or audiovisual works, provided that the use of a synthetic performer in the advertisement or promotional material is consistent with its use in the expressive work.

(5) Apply to an advertisement in which the use of the generative artificial intelligence solely involves the language translation of a human performer or other accessibility features.

(e) (1) An advertising medium shall not transmit, distribute, display, air, or otherwise make available an advertisement containing a synthetic performer if both of the following conditions are met:

(A) A court of competent jurisdiction has issued an order finding that the advertisement violates this chapter or enjoining the creator from publishing the advertisement, including, but not limited to, an injunction issued under Section 527 of the Code of Civil Procedure.

(B) The advertising medium is served with the order and information reasonably sufficient to identify the advertisement.

(2) Upon receipt of an order described in subparagraph (A) of paragraph (1), the advertising medium shall, as soon as commercially reasonable and technically feasible, do both of the following:

(A) Remove, disable access to, or cease further dissemination of the advertisement on the advertising medium in this state.

(B) Cease accepting payment for further dissemination of the advertisement.

(f) A violation of this section constitutes a violation of Section 17500 and may be enforced pursuant to Chapter 5 (commencing with Section 17200) of Part 2.

(g) The requirements of this section are severable. If any provision or its application is held invalid, that invalidity shall not affect other provisions or applications that can be given effect without the invalid provision or application.

SEC. 3. No reimbursement is required by this act pursuant to Section 6 of Article XIII B of the California Constitution because the only costs that may be incurred by a local agency or school district will be incurred because this act creates a new crime or infraction, eliminates a crime or infraction, or changes the penalty for a crime or infraction, within the meaning of Section 17556 of the Government Code, or changes the definition of a crime within the meaning of Section 6 of Article XIII B of the California Constitution.