STATE OF CALIFORNIA
LEGISLATIVE COUNSEL BUREAU
AUTHENTICATED
ELECTRONIC LEGAL MATERIAL

Senate Bill No. 1159

CHAPTER 863

An act to amend Sections 7920.520, 9072, 11405.70, and 11500 of, and to add Sections 8319, 11121.5, 11342.575, 11370.1.5, and 54951.5 to, the Government Code, and to amend Sections 21066 and 30111 of the Public Resources Code, relating to artificial intelligence.

[Approved by Governor September 30, 2026. Filed with Secretary of State September 30, 2026.]

LEGISLATIVE COUNSEL'S DIGEST

SB 1159, Cabaldon. Artificial intelligence: transparency and governance.

The California Constitution provides that people have the right of access to information concerning the conduct of the people's business. Various provisions of existing law, including the California Public Records Act, the Legislative Open Records Act, the Bagley-Keene Open Meeting Act, and the Ralph M. Brown Act, provide, with some exceptions, for public access to government records and meetings of government bodies. Among those acts, the California Public Records Act defines "person" to include any natural person, corporation, partnership, limited liability company, firm, or association.

Existing law, the Administrative Procedure Act, governs, among other things, the procedures for the adoption, amendment, or repeal of regulations by state agencies and for the review of those regulatory actions by the Office of Administrative Law.

Existing law, the California Environmental Quality Act (CEQA), requires a lead agency, as defined, to prepare, or cause to be prepared, and certify the completion of an environmental impact report on a project that it proposes to carry out or approve that may have a significant effect on the environment or to adopt a negative declaration if it finds that the project will not have that effect. CEQA defines "person" to include any person, firm, association, organization, partnership, business, trust, corporation, limited liability company, company, district, county, city and county, city, town, and, among other things, the state.

Existing law, the California Coastal Act of 1976, establishes the California Coastal Commission and prescribes procedures for the preparation, approval, and certification of local coastal programs that regulate development in the coastal zone, as defined, in jurisdictions that have a certified local coastal program.

This bill would specify that, for purposes of the California Public Records Act, the Bagley-Keene Open Meeting Act, the Ralph M. Brown Act, the Legislative Open Records Act, the Administrative Procedure Act, the California Coastal Act of 1976, and CEQA, "person," "interested person,"

"participant," "member of the public," as applicable, and any other similar terms under each act referring to those who may engage with governmental agencies, do not include artificial intelligence, as defined, systems, autonomous agents, or robots, whether physical or digital. The bill would authorize governmental agencies to use a disclosure verification tool to determine if artificial intelligence is present. The bill would make findings and declarations related to these provisions.

The bill would prohibit a person from knowingly using artificial intelligence to falsely represent that a natural person appeared before, submitted information to, or otherwise engaged with a governmental agency.

The California Constitution requires local agencies, for the purpose of ensuring public access to the meetings of public bodies and the writings of public officials and agencies, to comply with a statutory enactment that amends or enacts laws relating to public records or open meetings and contains findings demonstrating that the enactment furthers the constitutional requirements relating to this purpose.

This bill would make legislative findings to that effect.

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

SECTION 1. (a) (1) Subdivision (b) of Section 3 of Article 1 of the California Constitution establishes that "the people have the right of access to information concerning the conduct of the people's business." California's transparency and governance laws, including the Administrative Procedure Act (Chapter 3.5 (commencing with Section 11340), Chapter 4 (commencing with Section 11370), Chapter 4.5 (commencing with Section 11400), and Chapter 5 (commencing with Section 11500) of Part 1 of Division 3 of Title 2 of the Government Code), the Bagley-Keene Open Meeting Act (Article 9 (commencing with Section 11120) of Chapter 1 of Part 1 of Division 3 of Title 2 of the Government Code), the California Environmental Quality Act (Division 13 (commencing with Section 21000) of the Public Resources Code), the California Coastal Act of 1976 (Division 20 (commencing with Section 30000) of the Public Resources Code), the California Public Records Act (Division 10 (commencing with Section 7920.000) of Title 1 of the Government Code), the Legislative Open Records Act (Article 3.5 (commencing with Section 9070) of Chapter 1.5 of Part 1 of Division 2 of Title 2 of the Government Code), and the Ralph M. Brown Act (Chapter 9 (commencing with Section 54950) of Part 1 of Division 2 of Title 5 of the Government Code), implement this constitutional mandate by enabling natural persons to participate in and observe governmental processes.

(2) Artificial intelligence (AI) systems can now be programmed to automatically and continuously engage with governmental processes at scales and speeds that far exceed human capacity. AI systems have the ability to submit thousands or millions of automated public records requests, generate mass public comments on proposed regulations, file automated petitions for rulemaking, or otherwise flood governmental agencies with

interactions that simulate human participation but lack genuine human deliberation or judgment.

(3) Automated mass engagement would overwhelm government agencies, divert limited public resources from serving actual constituents, drown out genuine human participation, and transform deliberative processes into meaningless exchanges with machines. Public comment periods would become ineffective if agencies must process thousands of AI-generated submissions, and the administrative burden would undermine the purpose of California's transparency laws. This threat is not theoretical. In the United Kingdom, AI-powered platforms have already enabled automated generation of planning objections, prompting warnings from experts that such systems will overwhelm public agencies.

(4) California's transparency and governance laws referenced in paragraph (1) presuppose participants who possess consciousness, moral agency, deliberative judgment, and membership in the political community. AI systems, regardless of their sophistication, lack these essential attributes of personhood. Consistent with the United States Patent and Trademark Office's November 2025 guidance recognizing that AI systems are tools to support human activity rather than independent actors, and with the European Union's AI Act adopted in 2024 protecting the fundamental rights of natural persons, California law maintains the distinction between human beings and artificial intelligence.

(b) Therefore, it is the intent of the Legislature to clarify that, for purposes of California's transparency and governance laws referenced in subdivision (a), the terms "person," "interested person," "member of the public," and any other similar terms referring to those who may engage with governmental agencies under those laws, refer to natural persons and legally recognized entities capable of genuine participation in democratic governance, not AI systems that could be programmed to simulate participation at scales that would overwhelm governmental processes.

(c) The changes made by this act are not to be construed to imply that the terms "person," "interested person," "participant," "member of the public," and any other similar terms as used in any law other than those laws referenced in subdivision (a) include artificial intelligence systems, autonomous agents, robots, or other nonhuman entities, whether physical or digital.

SEC. 2. Section 7920.520 of the Government Code is amended to read:

7920.520. (a) As used in this division, "person" includes any natural person, corporation, partnership, limited liability company, firm, or association.

(b) (1) "Person," "interested person," "member of the public," and any other similar terms referring to those who may engage with governmental agencies under this division do not include artificial intelligence systems, autonomous agents, robots, or other nonhuman entities, whether physical or digital.

(2) For purposes of this subdivision, the following definitions apply:

(A) “Artificial intelligence” means an engineered or machine-based system that varies in its level of autonomy and that can, for explicit or implicit objectives, infer from the input it receives how to generate outputs that can influence physical or virtual environments.

(B) “Assistive technology” means an item, piece of equipment, or product system, whether acquired commercially, modified, or customized, that is used to increase, maintain, or improve functional capabilities of individuals with disabilities and any service that directly assists an individual with a disability in the selection, acquisition, or use of the item, equipment, or product system.

(3) A public agency may use a disclosure verification tool that meets the criteria described in Section 22757.2 of the Business and Professions Code to determine if artificial intelligence is present.

(4) This section does not prohibit a natural person from using artificial intelligence, autonomous agents, or robots to facilitate the person’s own engagement with a governmental agency, including through the use of assistive technologies, provided the volume and frequency of the engagement are reasonably consistent with ordinary participation by a natural person.

SEC. 3. Section 8319 is added to the Government Code, to read:

8319. (a) A person shall not knowingly use artificial intelligence to falsely represent that a natural person appeared before, submitted information to, or otherwise engaged with a governmental agency.

(b) For purposes of this section, “artificial intelligence” means an engineered or machine-based system that varies in its level of autonomy and that can, for explicit or implicit objectives, infer from the input it receives how to generate outputs that can influence physical or virtual environments.

SEC. 4. Section 9072 of the Government Code is amended to read:

9072. As used in this article:

(a) “Person” includes any natural person, corporation, partnership, limited liability company, firm, or association.

(1) “Person” and any other similar terms referring to those who may engage with governmental agencies under this article do not include artificial intelligence systems, autonomous agents, or robots, whether physical or digital.

(2) For purposes of this subdivision, the following definitions apply:

(A) “Artificial intelligence” means an engineered or machine-based system that varies in its level of autonomy and that can, for explicit or implicit objectives, infer from the input it receives how to generate outputs that can influence physical or virtual environments.

(B) “Assistive technology” means an item, piece of equipment, or product system, whether acquired commercially, modified, or customized, that is used to increase, maintain, or improve functional capabilities of individuals with disabilities and any service that directly assists an individual with a disability in the selection, acquisition, or use of the item, equipment, or product system.

(3) The appropriate Rules Committee of each house of the Legislature and the Joint Rules Committee may use a disclosure verification tool that

meets the criteria described in Section 22757.2 of the Business and Professions Code to determine if artificial intelligence is present.

(4) This section does not prohibit a natural person from using artificial intelligence, autonomous agents, or robots to facilitate the person's own engagement with a governmental agency, including through the use of assistive technologies, provided the volume and frequency of the engagement are reasonably consistent with ordinary participation by a natural person.

(b) "Legislature" includes any Member of the Legislature, any legislative officer, any standing, joint, or select committee or subcommittee of the Senate and Assembly, and any other agency or employee of the Legislature.

(c) "Legislative records" means any writing prepared on or after December 2, 1974, which contains information relating to the conduct of the public's business prepared, owned, used, or retained by the Legislature.

(d) "Writing" means handwriting, typewriting, printing, photostating, photographing, and every other means of recording upon any form of communication or representation, including letters, words, pictures, sounds, or symbols, or combination thereof, and all papers, maps, magnetic or paper tapes, photographic films and prints, magnetic or punched cards, discs, drums, and other documents.

SEC. 5. Section 11121.5 is added to the Government Code, to read:

11121.5. (a) As used in this article, "person," "interested person," "participant," "member of the public," and any other similar terms referring to those who may engage with governmental agencies under this chapter do not include artificial intelligence systems, autonomous agents, or robots, whether physical or digital.

(b) For purposes of this section, the following definitions apply:

(1) "Artificial intelligence" means an engineered or machine-based system that varies in its level of autonomy and that can, for explicit or implicit objectives, infer from the input it receives how to generate outputs that can influence physical or virtual environments.

(2) "Assistive technology" means an item, piece of equipment, or product system, whether acquired commercially, modified, or customized, that is used to increase, maintain, or improve functional capabilities of individuals with disabilities and any service that directly assists an individual with a disability in the selection, acquisition, or use of the item, equipment, or product system.

(c) A state body may use a disclosure verification tool that meets the criteria described in Section 22757.2 of the Business and Professions Code to determine if artificial intelligence is present.

(d) This section does not prohibit a natural person from using artificial intelligence, autonomous agents, or robots to facilitate the person's own engagement with a governmental agency, including through the use of assistive technologies, provided the volume and frequency of the engagement are reasonably consistent with ordinary participation by a natural person.

SEC. 6. Section 11342.575 is added to the Government Code, to read:

11342.575. (a) "Person," "interested person," "member of the public," and any other similar terms referring to those who may engage with

governmental agencies under this chapter do not include artificial intelligence systems, autonomous agents, or robots, whether physical or digital.

(b) For purposes of this section, the following definitions apply:

(1) "Artificial intelligence" means an engineered or machine-based system that varies in its level of autonomy and that can, for explicit or implicit objectives, infer from the input it receives how to generate outputs that can influence physical or virtual environments.

(2) "Assistive technology" means an item, piece of equipment, or product system, whether acquired commercially, modified, or customized, that is used to increase, maintain, or improve functional capabilities of individuals with disabilities and any service that directly assists an individual with a disability in the selection, acquisition, or use of the item, equipment, or product system.

(c) An agency may use a disclosure verification tool that meets the criteria described in Section 22757.2 of the Business and Professions Code to determine if artificial intelligence is present.

(d) This section does not prohibit a natural person from using artificial intelligence, autonomous agents, or robots to facilitate the person's own engagement with a governmental agency, including through the use of assistive technologies, provided the volume and frequency of the engagement are reasonably consistent with ordinary participation by a natural person.

SEC. 7. Section 11370.1.5 is added to the Government Code, to read:

11370.1.5. (a) As used in this chapter, "person" and any other similar terms referring to those who may engage with governmental agencies under this chapter do not include artificial intelligence systems, autonomous agents, or robots, whether physical or digital.

(b) For purposes of this section, the following definitions apply:

(1) "Artificial intelligence" means an engineered or machine-based system that varies in its level of autonomy and that can, for explicit or implicit objectives, infer from the input it receives how to generate outputs that can influence physical or virtual environments.

(2) "Assistive technology" means an item, piece of equipment, or product system, whether acquired commercially, modified, or customized, that is used to increase, maintain, or improve functional capabilities of individuals with disabilities and any service that directly assists an individual with a disability in the selection, acquisition, or use of the item, equipment, or product system.

(c) The Office of Administrative Hearings may use a disclosure verification tool that meets the criteria described in Section 22757.2 of the Business and Professions Code to determine if artificial intelligence is present.

(d) This section does not prohibit a natural person from using artificial intelligence, autonomous agents, or robots to facilitate the person's own engagement with a governmental agency, including through the use of assistive technologies, provided the volume and frequency of the engagement are reasonably consistent with ordinary participation by a natural person.

SEC. 8. Section 11405.70 of the Government Code is amended to read:

11405.70. (a) "Person" includes an individual, partnership, corporation, governmental subdivision or unit of a governmental subdivision, or public or private organization or entity of any character.

(b) (1) "Person," "interested person," "participant," "member of the public," and any other similar terms referring to those who may engage with governmental agencies under this chapter do not include artificial intelligence systems, autonomous agents, or robots, whether physical or digital.

(2) For purposes of this subdivision, the following definitions apply:

(A) "Artificial intelligence" means an engineered or machine-based system that varies in its level of autonomy and that can, for explicit or implicit objectives, infer from the input it receives how to generate outputs that can influence physical or virtual environments.

(B) "Assistive technology" means an item, piece of equipment, or product system, whether acquired commercially, modified, or customized, that is used to increase, maintain, or improve functional capabilities of individuals with disabilities and any service that directly assists an individual with a disability in the selection, acquisition, or use of the item, equipment, or product system.

(3) An agency may use a disclosure verification tool that meets the criteria described in Section 22757.2 of the Business and Professions Code to determine if artificial intelligence is present.

(4) This section does not prohibit a natural person from using artificial intelligence, autonomous agents, or robots to facilitate the person's own engagement with a governmental agency, including through the use of assistive technologies, provided the volume and frequency of the engagement are reasonably consistent with ordinary participation by a natural person.

SEC. 9. Section 11500 of the Government Code is amended to read:

11500. In this chapter unless the context or subject matter otherwise requires:

(a) "Agency" includes the state boards, commissions, and officers to which this chapter is made applicable by law, except that wherever the word "agency" alone is used the power to act may be delegated by the agency, and wherever the words "agency itself" are used the power to act shall not be delegated unless the statutes relating to the particular agency authorize the delegation of the agency's power to hear and decide.

(b) "Party" includes the agency, the respondent, and any person, other than an officer or an employee of the agency in their official capacity, who has been allowed to appear or participate in the proceeding.

(c) (1) "Person," "participant," and any other similar terms referring to those who may engage with governmental agencies under this chapter do not include artificial intelligence systems, autonomous agents, or robots, whether physical or digital.

(2) For purposes of this subdivision, the following definitions apply:

(A) "Artificial intelligence" means an engineered or machine-based system that varies in its level of autonomy and that can, for explicit or implicit objectives, infer from the input it receives how to generate outputs that can influence physical or virtual environments.

(B) This section does not prohibit a natural person from using artificial intelligence, autonomous agents, or robots to facilitate the person's own engagement with a governmental agency, including through the use of assistive technologies, provided the volume and frequency of the engagement are reasonably consistent with ordinary participation by a natural person.

(3) An agency may use a disclosure verification tool that meets the criteria described in Section 22757.2 of the Business and Professions Code to determine if artificial intelligence is present.

(4) This section does not prohibit a natural person from using artificial intelligence, autonomous agents, or robots to facilitate the person's own engagement with a governmental agency, including through the use of assistive technologies, provided the volume and frequency of the engagement are reasonably consistent with ordinary participation by a natural person.

(d) "Respondent" means any person against whom an accusation or District Statement of Reduction in Force is filed pursuant to Section 11503 or against whom a statement of issues is filed pursuant to Section 11504.

(e) "Administrative law judge" means an individual qualified under Section 11502.

(f) "Agency member" means any person who is a member of any agency to which this chapter is applicable and includes any person who themselves constitute an agency.

SEC. 10. Section 54951.5 is added to the Government Code, to read:

54951.5. (a) As used in this chapter, "person," "interested person," "participant," "member of the public," and any other similar terms referring to those who may engage with governmental agencies under this chapter do not include artificial intelligence systems, autonomous agents, or robots, whether physical or digital.

(b) For purposes of this section, the following definitions apply:

(1) "Artificial intelligence" means an engineered or machine-based system that varies in its level of autonomy and that can, for explicit or implicit objectives, infer from the input it receives how to generate outputs that can influence physical or virtual environments.

(2) "Assistive technology" means an item, piece of equipment, or product system, whether acquired commercially, modified, or customized, that is used to increase, maintain, or improve functional capabilities of individuals with disabilities and any service that directly assists an individual with a disability in the selection, acquisition, or use of the item, equipment, or product system.

(c) A local agency may use a disclosure verification tool that meets the criteria described in Section 22757.2 of the Business and Professions Code to determine if artificial intelligence is present.

(d) This section does not prohibit a natural person from using artificial intelligence, autonomous agents, or robots to facilitate the person's own engagement with a governmental agency, including through the use of assistive technologies, provided the volume and frequency of the engagement are reasonably consistent with ordinary participation by a natural person.

SEC. 11. Section 21066 of the Public Resources Code is amended to read:

21066. (a) "Person" includes any person, firm, association, organization, partnership, business, trust, corporation, limited liability company, company, district, county, city and county, city, town, the state, and any of the agencies and political subdivisions of those entities, and, to the extent permitted by federal law, the United States, or any of its agencies or political subdivisions.

(b) (1) "Person," "interested person," "member of the public," and any other similar terms referring to those who may engage with governmental agencies under this division do not include artificial intelligence systems, autonomous agents, or robots, whether physical or digital.

(2) For purposes of this subdivision, the following definitions apply:

(A) "Artificial intelligence" means an engineered or machine-based system that varies in its level of autonomy and that can, for explicit or implicit objectives, infer from the input it receives how to generate outputs that can influence physical or virtual environments.

(B) "Assistive technology" means an item, piece of equipment, or product system, whether acquired commercially, modified, or customized, that is used to increase, maintain, or improve functional capabilities of individuals with disabilities and any service that directly assists an individual with a disability in the selection, acquisition, or use of the item, equipment, or product system.

(3) A public agency may use a verification detection tool that meets the criteria described in Section 22757.2 of the Business and Professions Code to determine if artificial intelligence is present.

(4) This section does not prohibit a natural person from using artificial intelligence, autonomous agents, or robots to facilitate the person's own engagement with a governmental agency, including through the use of assistive technologies, provided the volume and frequency of the engagement are reasonably consistent with ordinary participation by a natural person.

SEC. 12. Section 30111 of the Public Resources Code is amended to read:

30111. (a) "Person" means any individual, organization, partnership, limited liability company, or other business association or corporation, including any utility, and any federal, state, local government, or special district or an agency thereof.

(1) "Person" and any other similar terms referring to those who may engage with governmental agencies under this division do not include artificial intelligence systems, autonomous agents, or robots, whether physical or digital.

(2) For purposes of this section, the following definitions apply:

(A) "Artificial intelligence" means an engineered or machine-based system that varies in its level of autonomy and that can, for explicit or implicit objectives, infer from the input it receives how to generate outputs that can influence physical or virtual environments.

(B) "Assistive technology" means an item, piece of equipment, or product system, whether acquired commercially, modified, or customized, that is

used to increase, maintain, or improve functional capabilities of individuals with disabilities and any service that directly assists an individual with a disability in the selection, acquisition, or use of the item, equipment, or product system.

(b) An agency may use a disclosure verification tool that meets the criteria described in Section 22757.2 of the Business and Professions Code to determine if artificial intelligence is present.

(c) This section does not prohibit a natural person from using artificial intelligence, autonomous agents, or robots to facilitate the person's own engagement with a governmental agency, including through the use of assistive technologies, provided the volume and frequency of the engagement are reasonably consistent with ordinary participation by a natural person.

SEC. 13. The Legislature finds and declares that Section 2 of this act, which amends Section 7920.520 of the Government Code, and Section 9 of this act, which adds Section 54951.5 to the Government Code, further, within the meaning of paragraph (7) of subdivision (b) of Section 3 of Article I of the California Constitution, the purposes of that constitutional section as it relates to the right of public access to the meetings of local public bodies or the writings of local public officials and local agencies. Pursuant to paragraph (7) of subdivision (b) of Section 3 of Article I of the California Constitution, the Legislature makes the following findings:

The clarification made by this act serves the public interest by preserving the integrity and functionality of California's democratic institutions, preventing automated systems from displacing genuine human participation, protecting public resources from being consumed by responding to machine-generated requests, and ensuring that governmental decisions remain responsive to the people of California.

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