

## **Floor Alert – Vote No** **AB 853 (Wicks)** **Content Provenance**

TechNet and our coalition members appreciate the author’s willingness to engage with opposition stakeholders throughout this process, and we are thankful that the bill’s operative dates have been delayed. However, AB 853 continues to move in a direction that does not fully resolve our core concerns — and has now introduced new, unvetted concepts without a runway for discussion.

Industry-led standards are still being developed by organizations like the Coalition for Content Provenance and Authenticity (C2PA).

Locking in rigid mandates at this stage risks undermining those collaborative efforts. Additionally, SB 942, enacted last year, has not yet taken effect. That law already established a framework for synthetic media transparency. Imposing additional prescriptive requirements for watermarking and provenance technology before SB 942 is implemented is premature.

AB 853 requires every new capture device manufactured after 2028 to embed provenance data by default, with opt-out functionality.

While the bill now references feasibility and standards-setting bodies, these requirements remain commercially impractical, especially in B2B markets where use cases are distinct from consumer needs. The result could be higher costs for manufacturers and consumers, with little demonstrated benefit.

Recent amendments create new obligations leading to significant compliance burdens

The September 5 amendments impose new obligations on “large online platforms” and GenAI hosting platforms, including requirements around latent disclosures that were covered by SB 942. While we support transparency, these provisions are overly broad, lack clarity, and raise serious compliance questions. Furthermore, the bill fails to address how liability attaches when content is modified downstream and could hinder innovation without significantly improving consumer understanding.

AB 853 still doesn’t address whether platforms are responsible for third-party or embedded content. This ambiguity poses significant compliance risks and will be particularly challenging for large platforms that distribute vast amounts of user-generated content.

**Please Vote No on AB 853**