



January 9, 2026

The Honorable Thomas Umberg
Chair, Senate Judiciary Committee
1021 O Street, Room 3240
Sacramento, CA 95814

Re: SB 300 (Padilla) – Chatbots - Oppose

Dear Chair Umberg,

On behalf of TechNet and the above entities, we respectfully oppose SB 300 (Padilla), which would expand the companion chatbot framework enacted just last year through SB 243, before that law has undergone any enforcement or regulatory interpretation. We urge the Committee to allow SB 243 to take effect before pursuing changes.

TechNet is the national, bipartisan network of technology CEOs and senior executives that promotes the growth of American innovation by advocating a targeted policy agenda at the federal and 50-state level. TechNet's diverse membership includes 100 dynamic American businesses ranging from startups to the most iconic companies on the planet and represents five million employees and countless customers in the fields of information technology, artificial intelligence, e-commerce, the sharing and gig economies, advanced energy, transportation, cybersecurity, venture capital, and finance.

We share the author's commitment to protecting minors and addressing potential risks of harm associated with emerging technologies. SB 243 represented a consequential step in this area, establishing new obligations and enforcement mechanisms that just took effect this month. SB 300 would materially revise those requirements in advance of any opportunity to assess whether the existing framework is workable, effective, or appropriately calibrated to risk.

Expanding Statutory Obligations Before Enforcement

SB 300 would replace key reasonableness-based standards adopted in SB 243 with a mandate to prevent the production of prohibited material and to broaden prohibited conduct to include "facilitating the exchange" of sexually explicit material. These are not clarifying or technical changes; they fundamentally alter the legal standard adopted by the legislature.

At this stage, there is no demonstrated need for these changes and no clear gaps that the proposed language would fill. It is concerning to amend and expand statutory obligations before the Legislature, regulators, courts, companies, or other stakeholders have had any opportunity to observe how the original law operates in practice.

We are also concerned that the proposed changes make it more difficult for providers to determine what actions they must take in order to comply. In particular, the new language regarding “facilitating the exchange” of sexually explicit material is vague and hard to interpret in the context of the statute.

Interaction with the Private Right of Action

These changes are particularly consequential because they are paired with a private right of action already embedded in statute. When combined with a strict “prevent” standard, SB 300 risks turning what was framed as a requirement to implement appropriate protections for children into a de facto strict liability regime.

Under this structure, a single instance of content that is alleged not to have been “prevented” could trigger liability, regardless of the safeguards deployed, the probabilistic nature of AI systems, or the operator’s good-faith efforts to comply.

This approach departs from traditional negligence principles and risks treating entities that take extensive, good-faith compliance measures the same as those that take none.

SB 243 has not yet been fully implemented, interpreted, or enforced. SB 300 would substantially revise that framework before any evidence that the existing law is insufficient, while simultaneously increasing liability exposure through an already powerful enforcement mechanism.

For these reasons, we respectfully oppose making the changes to SB 243 proposed by SB 300. We remain committed to working with the author and stakeholders to evaluate the implementation of SB 243 and to consider targeted, evidence-based adjustments informed by actual experience rather than anticipation alone.

If you have any questions regarding our position, please contact Robert Boykin at rboykin@technet.org or 408.898.7145.

Sincerely,



Robert Boykin
Executive Director for California and the Southwest
TechNet

Ronak Daylami, California Chamber of Commerce
Aodhan Downey, Computer and Communications Industry Association