

12. Adoption of Proposed Regulation 18450.12 and Amendments to Regulation 18401, AI use in Campaign Advertisement Disclosure and Related Recordkeeping.

Staff: Zachary Norton, Senior Commission Counsel. Staff proposes for adoption amendments to Regulation 18450.12 to add language clarifying the circumstances under which disclosure is required in campaign advertisements that have been created or modified using AI, as well as amendments to Regulation 18401 to make explicit that recordkeeping requirements extend to all committee advertisements, and includes a requirement to maintain copies of any original source media used to create advertisements that have been modified using AI. Staff presented this proposal for pre-notice discussion in May and now presents it for adoption.

- **Staff Memo(PDF)**
- **Proposed Adoption of Regulation 18450.12(PDF)**
- **Proposed Amendment of Regulation 18401(PDF)**
- **Section 84514 & Regulation 18450.12 Flow Chart(PDF)**

1. **Ken Wang (CITED)** says:

August 20, 2026 at 10:39 am

On behalf of the California Initiative for Technology and Democracy, we would like to provide feedback on the proposed record keeping regulations 18401. Specifically, we suggest the use of “provenance data” instead of “metadata” in (a)(11)(B). This change aligns with the definition in California AI Transparency Act (BNP 22757.1, “Provenance data” means data that is embedded into digital content, or that is included in the digital content’s metadata, for the purpose of verifying the digital content’s authenticity, origin, or history of modification.”). We believe using provenance data would be broader than the term “metadata,” which is more easily manipulated.