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April 21, 2026

The Honorable Rebecca Bauer-Kahan
Chair, Assembly Committee on Privacy and Consumer Protection
1020 N Street, Room 162
Sacramento, CA 95814

RE: AB 2027 (Ward), Prohibitions on workplace AI tools – OPPOSE

Dear Assembly Member Bauer-Kahan,

I am writing on behalf of the Kern County Board of Supervisors to express our strong opposition to AB 2027 (Ward), which sows uncertainty into how public agencies can use artificial intelligence (AI) tools and creates new restrictions for the use of third-party systems that includes a wide array of technology.

We understand the reasonable concerns about the rapid integration of new technologies into daily life. However, the scope of this bill is vast and would leave significant questions about whether agencies can use AI systems or how they could train them to perform tasks.

Local agency employers are incorporating AI and automated decision system (ADS) technology to improve service delivery, address risks, and empower employees to focus on more meaningful work through streamlining some rote aspects of job duties. State law has protected the right of public employees to bargain, and most public employees have a property interest in their position that is protected by due process. Public agencies and their workforce have long bargained over the conditions of their workplace and, more frequently, there have been MOUs that include agreements on the use of AI or ADS.

Creates uncertainty for how AI systems can be trained

The provisions of the bill create uncertainty regarding what restrictions remain for public agencies and other employers using AI. AI systems rely on data inputs to train them to work effectively. It is hard to fathom how they could function effectively without the input of the public employees and officials with firsthand knowledge and experience on how to deliver a service or manage risks.

Under the current bill language, it is not clear how the prohibition on the use of “personal information” could apply to tools already used by public agencies or that could be adopted in the future. The bill refers to the definition of “personal information” in Civil Code § 1798.140. That

definition includes information that “...relates to...” or “...is reasonably capable of being associated with...” an individual. It is not clear where a boundary may exist for public agencies and their employees to train an AI system. Due to the bill’s significant penalties, this could impose an unnecessary chilling effect on the adoption of new technologies.

Additionally, public agencies are not governed by the California Consumer Privacy Act (CCPA). This law would compel agencies to navigate a law designed for private sector activities. Public agencies are not a business and they serve the public, not consumers. Public agencies have, instead, been subject to many data privacy and confidentiality laws for decades. We believe it is more appropriate to rely on existing frameworks for data privacy and confidentiality to protect sensitive data for the public workforce.

Restrictions on replication or automation could limit tools that supplement the workforce

Collectively, the terms replication, automation, and replacement, coupled with the bill’s defined terms, may extend this bill’s application to vast swaths of AI technology uses, including for efficiency and safety, as well as innocuous uses and legacy automated technologies.

Public agencies are not interested in replacing the public workforce with machines. Public agencies do, however, believe in using new technology to better serve residents and improve conditions for the public workforce. Public agencies are already using these tools in ways that improve delivery of services, mitigate disaster risk, strengthen the social safety net, and empower the public workforce to grow, develop, and replace rote tasks with more meaningful work. These include use of AI systems to:

- Detect water contamination.
- Performing road maintenance triage, detection of road hazards, and identification of potholes.
- Detecting wildfires and earthquakes.
- Dam safety monitoring.
- Leak detection for water pipelines.
- Improve efficiency for public benefit enrollment and pupil attendance.
- Accelerate permitting following disasters, including the Los Angeles wildfires.

Each of these tools are used not to replace public employees with machines, but to supplement their work. Each tool could meet the definition of replicating or automating a worker’s job.

These new tools represent a new era of service delivery. As the public sector workforce adopts new technologies, we ask that legislation not hinder the use or potential use of innovations that are already proving to support critical public sector operations.

As currently drafted, there are too many unresolved questions about how the bill will work in practice. For public agencies, the costs are steep. The bill subjects public agencies to civil actions, opening them up to liability for punitive damages and attorney’s fees. At a time when local agencies are facing mounting fiscal uncertainty, we have significant concerns for any new legislation that subjects local agency budgets to additional legal liability.

Finally, we believe the inclusion of independent contractors in the definition of “worker” blurs the roles of employer and workers, while increasing compliance complications as well as increasing litigation risk.

While we recognize the concerns surrounding the adoption of new workplace technologies that have motivated this bill and other recent legislation, we feel AB 2027 could have vast unintended consequences that prohibit innovation and tools that can assist employees and ensure better service delivery for the public.

For these reasons, the Kern County Board of Supervisors strongly opposes this measure and respectfully urges you to **vote NO on AB 2027**.

Sincerely,

A handwritten signature in blue ink, appearing to read "Phillip Peters", with a stylized flourish at the end.

Phillip Peters, Chairman
Kern County Board of Supervisors

cc: Honorable Members, Assembly Committee on Privacy and Consumer Protection
Honorable Members, Kern Legislative Delegation
Kern County Human Resources Division
Kern County Counsel
Shaw Yoder Antwih Schmelzer & Lange