**1. Definitions**. **“General Provisions**” – means the applicable State General Provisions incorporated into the Contract to which these Generative AI Special Provisions are also incorporated.

**2. GENAI TRAINING DATA:**

Contractor shall have the right to examine any Public Data being proposed to augment the GenAI Training Data, such as by requesting access, copies, or reports of the data, to verify its compliance with the Contract terms and conditions.

**3. GENAI ADDITIONAL SECURITY REQUIREMENTS:**

In addition to the Sections 13, 21 and 22 of the General Provisions, Contractor shall comply with the following security requirements:

Contractor shall allow the State reasonable access to the GenAI security logs, latency statistics, and other related GenAI security data that affect this Contract and State Content, at no cost to the State.

**4. CONFIDENTIALITY OF DATA AND PROMPTS:**

Contractor shall protect from unauthorized use and disclosure any Prompts Contractor provides to any GenAI in connection with this Contract, as well as any Generated Data that is created based on Contractor provided Prompts.

**5. RIGHTS IN PROMPTS AND GENERATED CONTENT:**

1. Contractor shall retain ownership of any Contractor-provided Prompts.
2. For the avoidance of doubt and for the purposes of this Contract, State-provided Prompts and Generated Data created from a State provided Prompt shall constitute a subset of State Data.
3. Unless otherwise specified in the Statement of Work:
4. To the extent Contractor provided Prompts or Generated Data resulting from such Prompts constitute Work Product, Contractor shall not use, copy, modify, distribute, or disclose any such Prompts or Generated Data for any purpose other than performing its obligations under this Contract, unless expressly authorized by the State in writing.
5. To the extent any Prompts or Generated Data constitute Work Product, State shall retain Government Purpose Rights to such Prompts or Generated Data, subject to the same limitations and conditions as the Government Purpose Rights set forth in the General Provisions.
6. For the avoidance of doubt, Prompts or Generated Data developed or produced by the Contractor as Deliverables pursuant to this Contract, shall constitute Work Product.

**6. GENAI TRAINING AND GENERATED DATA REVIEW:**

In addition to the Examination and Audit provision set forth in the General Provisions:

1. GenAI Training Data Review: Contractor shall track and disclose the quality of the GenAI Training Data used for any GenAI in relation to this Contract, using suitable metrics and methods to measure the accuracy, relevance, and bias of the data over time. Contractor shall share such metrics and methods, as well as the underlying data, with the State upon request by the State or at periodic intervals as may be agreed by the Parties. The State retains the right to audit, review, or investigate the quality of the GenAI Training Data at any time, subject to reasonable notice and confidentiality obligations.
2. Generated Data Review: Contractor shall track and disclose the quality of the Generated Data of any GenAI in relation to this Contract, using suitable metrics and methods to measure the accuracy, relevance, and bias of the output over time. Contractor shall share such metrics and methods, as well as the underlying output, with the State upon request by the State or at periodic intervals as agreed by the Parties. The State retains the right to audit, review, or investigate the quality of the Generated Data at any time, subject to reasonable notice and confidentiality obligations.
3. Generated Data Identification: Contractor shall ensure that all Generated Data that materially impacts Deliverables created pursuant to the Contract contains a digital watermark or other digital identification that clearly identifies that the Generated Data was created by GenAI. Contractor shall comply with all other applicable laws, regulations, and guidelines concerning the identification Generated Data, including but not limited to the California AI Transparency Act (Bus. & Prof. Code §§ 22757 et seq).