

Summary of Enacted AI Legislation or Adopted Resolutions in 2023 from the National Conference on State Legislatures

State	State Legislature Bill	What Legislation Does re:AI	Enacted Date
Arizona	H 2482 - here	Section 5: Allows for appropriations for crime victim notification software involving AI. Systems that can be funded may allow crime victims to engage in bidirectional conversations through, voice, text messages, and emails with artificial intelligence platforms providing real time updates to law enforcement. Allows the system to respond and ask questions of victims.	May 19, 2023
California	SCR 17 -- here	Resolution from the California legislature affirming its commitment to basing legislation and implementation of AI systems in California on the principles outlined in the White House’s “ ‘ Blueprint for an AI Bill of Rights ,’ including: Safe and Effective Systems, Algorithmic Discrimination Protections, Data Privacy, Notice and Explanation, and Human Alternatives, Consideration, and Fallback.”	August 23, 2023
California	2023 CA A 302 – here	<p>This bill requires the Department of Technology to report by Sept. 1, 2024 an inventory of all “high risk automated decision systems” in use, development, or procurement by state agencies and require a description of what type of data is used by these systems to make decisions.</p> <p>The bill defines a high risk automated decision making system as software that is used to assist or replace human decisions that has a legal or similar effect. A decision system is high risk if it is used to materially determine access for housing, education, accommodations, employment, credit, health care, and criminal justice.</p> <p>The inventory must provide what measures are in place it mitigate the risks of “inaccurate, unfairly discriminatory, or biased decisions” of the system, as well as the benefits of using this system and any alternatives. This report may also include metrics used to gauge the accuracy of the system.</p>	October 13, 2023
Connecticut	Senate Bill 1103 -- here	<p>This bill requires state agencies conduct an inventory of and publicly report:</p> <ol style="list-style-type: none"> 1. the name of AI systems in use and which vendor they were procured from 2. A general description of each AI system’s capabilities and uses 	June 7, 2023

		<p>3. Whether the system was “used to independently make, inform, or materially support a conclusion, decision, or judgment”</p> <p>4. Whether an AI system was subject to an impact assessment prior to implementation. (§1 (2)(b) <u>et seq.</u></p> <p>Additionally, the Connecticut Judicial Department must establish by Feb. 1, 2024, policies and procedures and assessments that “are sufficient to ensure” that no AI system results in any unlawful discrimination against any individual or group of individuals and has no “has any unlawful disparate impact on any individual or group of individuals on the basis of any actual or perceived differentiating characteristic, including, but not limited to, age, genetic information, color, ethnicity, race, creed, religion, national origin, ancestry, sex, gender identity or expression, sexual orientation, marital status, familial status, pregnancy, veteran status, disability or lawful source of income.” The Connecticut Judicial Department must assess the likely impact of any AI system it implements on running afoul of these prohibitions. Furthermore, starting February 2024, the Connecticut Judicial Department is barred from implementing any AI systems unless an impact assessment is conducted and the Chief Court Administrator that the AI system was not assessed to discriminate against any of the above listed groups. (§ 3)</p> <p>Additionally, this bill establishes a working group of experts and stakeholders to make recommendations considering the best practices for AI adoption in state government, recommendations about legislative proposals dealing with AI, make recommendations about the implementation of AI already in use, and evaluating the polices laid out in the White House’s Blueprint for an AI Bill of Rights. This working group includes representatives from the Attorney General’s office, both chambers of the Connecticut state legislature, the state comptroller, the chief court administrator, the state treasurer, the state chief data officer, the state’s Freedom of Information Officer, the Officer of the Executive Director of the Connecticut Academy of Science and Engineering, and the director of the state Commission on Women, Children, Seniors, Equity and Opportunity. (§ 5(b) and (c))</p>	
Georgia	H 18 – a 2023 appropriations bill - here	Only item relating to AI is appropriating \$5 million to supplemental the \$65 million in federal funding to the Georgia Artificial Intelligence Manufacturing Project, which aims to adopt AI into manufacturing and create a testing and training ecosystem for integrating AI into manufacturing in Southwest Georgia. (Information about the Georgia AI Manufacturing Project can be found here)	March 10, 2023
Georgia	H. 2023 – link	§ (a)(1) - Relates to eye exams. This law specifies that artificial intelligence devices that are used to conduct an eye assessment are an ‘assessment mechanism’ for prescribing glasses or contact lenses and must adhere to the safety standards laid out in section 2(c) of this statute, which	May 2, 2023

		includes being HIPAA compliant, and providing applicable accommodations with the Americans with Disabilities Act.	
Illinois	2023 IL H 3563 - Link	<p>Amended the Department of Innovation and Technology Act to establish a Task Force to produce a report on generative AI (“genAI”) and natural language processing. Report must be finalized by December 31, 2024. The task force will make recommendations on consumer information protection, affects of genAI on the workforce and employment, model policies for schools for dealing with genAI, protecting civil liberties, genAI challenges for cybersecurity, and improving deliveries of public service.</p> <p>Interestingly, task force consists of two statewide labor organizations in addition to members appointed by both majority and minority parties in the state legislature, the state teacher's association, and the state principal's association, along with industry representatives and technical experts</p>	August 4, 2023
Louisiana	LA SCR 49 – link here	<p>Resolution requesting the Joint Committee of the Louisiana Legislature on Technology and Cybersecurity to produce a report on AI’s impact in state operations, procurement, and policy, research evolving science and technology and how this could be used in state agencies.</p> <p>This report should include content both on how AI can help the state government operate, but also how to protect consumers from advances in AI technology</p>	Adopted June 7, 2023
Maryland	MD H 622 – link here	Adds funding for AI and other “industry 4.0” technology for companies having business operations in Maryland for over a year and awards grants for AI companies	Adopted May 8, 2023
Michigan	H. 5141- here and H. 5143 – “Michigan Campaign Finance Act” – Link Here	<p>H. 5143 Defines AI for H. 5141. H. 5141 deals with disclosures about the usage of artificial intelligence in political advertisements and prerecorded calls.</p> <p>Under H. 5141 a prerecorded phone message advocating election or defeat of a certain “clearly identified candidate” or adoption or defeat of a ballot measure that was generated either partially or substantially by AI to state “this message was generated in whole or substantially by artificial intelligence.” (§47(5)) This rule similarly applies to political advertisements. However, the section pertaining to political advertisements requires the mention of AI be at least 4 seconds and as large as any text otherwise appearing in the advertisement. The first infraction has a civil penalty of up to \$250, and each subsequent infraction has a penalty of up to \$1,000. (§ 59 (2) and (3))</p> <p>This law immunizes broadcasters who share the AI generated content as a part of a bona fide newscast if it is clear to the viewer that the advertisement is generated through AI. Additionally, distribution platforms are not liable if they</p>	Enacted Nov. 30, 2023 – Effective Feb. 13, 2024

		<p>platform can show that the platform prohibited AI generated political advertisements without disclosing that the advertisement was generated with artificial intelligence. (§ 59 (4)(a) and (5))</p> <p>AI is defined in H. 5143 as.:</p> <p>“Artificial intelligence” means a machine-based system that can, for a given set of human-defined objectives, make predictions, recommendations, or decisions influencing real or virtual environments, and that uses machine and human-based inputs to do all of the following:</p> <p>(a) Perceive real and virtual environments.</p> <p>(b) Abstract such perceptions into models through analysis in an automated manner.</p> <p>(c) Use model inference to formulate options for information or action.</p>	
Minnesota	S 2909 – here	Requires a report from the Minnesota Fusion Center (center for law enforcement agencies in Minnesota to share intelligence and information about crime and terrorism about the usage. including types of information collected, and benefits of AI or social media analysis tools. (§ 28)	
Mississippi	2023 MS S 3000 Link Here	Appropriated \$15,000,000 for University of Mississippi to defray expenses related to its Data Science and Artificial Intelligence program, among other STEM programs (§ 41 (c))	
New Mexico	Link here -- 2023 NM S 192	Appropriated \$290,000 for artificial intelligence equipment and technology to be used at the ASK academy charter school (STEM focused charter school) (§7(q))	
North Carolina	H 259	Provided \$3.2 million for New Hanover County Schools and \$2 million as a directed grant to Davidson County Schools for an AI School Safety pilot	
North Dakota	2023 ND H 1361 -- Link here	Specifies that Artificial Intelligence is not a person	Enacted April 11, 2023
Rhode Island	H 6423 Link here	Requests Rhode Island Department of Administration and Division of Information Technology to report usage of algorithmic division making information on how AI is used by the state, and how the AI makes decisions including with regards to the effects of “racial, gender, and other biases known to be perpetuated by AI technology” along with providing recommendations about how the state should use AI.	May 19, 2023
Texas	HB 2060 link here	Establishes an artificial intelligence advisory council composed of a member of the Texas House, a member of the Texas Senate, and an academic ethicist, an AI academic, an expert on law enforcement use of AI, and an expert in constitutional rights (all appointed by the governor).	Enacted June 13, 2023

		<p>This council will perform an inventory report on the state’s AI system and provide policy recommendations. Notably, the AI inventory will determine whether the automated decision system has been tested by an independent third party, has a known bias, or is untested for bias. (Sec. 2054.623 (6))</p> <p>Additionally, the report should “ensure that the residents of this state are free from unfair discrimination caused or compounded by the employment of artificial intelligence systems in state government.” (§2054.622 (4) (g))</p> <p>Additionally, the report should include the liabilities the state could incur as a result of its implementations of automative decision systems (2054.622 (f)(2)(b))</p>	
Texas	<p>S 2085 – link here</p> <p>Not really AI related but on the tracker</p>	<p>Directs the Texas Department of Criminal Justice to Provide grants to law enforcement agencies for crime victim notification systems</p>	
Utah	<p>HB 61 – link here</p>	<p>Specifies requirements regarding the training data for school security software: software must be developed in the U.S. without any third-party or open source data (proprietary data only) and must be able to be protected by an awarded patent including frames of actual firearms taken in relevant environments. The software should be designed to detect visible, unholstered firearms on school property. This software must be designated as qualified anti-terrorism technology under 6 U.S.C. § 441 et seq.</p> <p>The vendors that receive these contracts must have an operations center staffed by “highly trained analysts to be able to rapidly communicate threats.</p> <p>Additionally, software procured must be already deployed by other states, school districts, and commercial users. (53F-4-208)</p>	<p>Enacted March 20, 2023</p>
West Virginia	<p>H 3214 – link here</p>	<p>Creates pilot program to incorporate machine learning and artificial intelligence (Note: these terms are not defined) to assess the quality of state roads to be able to provide predictive analysis of roads to be able to provide preventive maintenance, rather than reactive maintenance to state’s roads. The data from this program should be either incorporated into an existing pavement management system or into a new AI or machine learning system. (§ 17-2A-25 (4)(b)(2))</p>	<p>March 28, 2023</p>

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Tracker of Trackers Involving AI

Tracker (Who is doing it) –	What is Being Tracked	Link
George Washington Law School Ethical Tech Initiative	Litigation involving artificial intelligence and machine learning	Here
Brennan Center at NYU Law	<p>AI bills introduced in the 118th Congress (Jan. 2023-present) that would “</p> <ul style="list-style-type: none"> • Impose restrictions on AI that is deemed high risk • Require purveyors of AI systems to conduct evaluations of the technology and its uses • Impose transparency, notice, and labeling requirements • Create or designate a regulatory authority to oversee AI • Protect consumers through liability measures • Direct the government to study AI to inform potential regulation <p>The tracker also includes data protection bills that would significantly impact AI providers.”</p>	Here
Federation of American Scientists Tracker of AI Bills in the 2024 National Defense Authorization Act (NDAA)	Tracks AI provisions in the of the 2024 Fiscal Year National Defense Authorization Act (NDAA) which provides funding for the Defense Dept. This act, H.R. 2670 , became law in December, 2023	Link here
International Association of Privacy Professionals (“IAPP”) AI Governance Center	<p>As of August 25, 2023, provides an overview of global proposed legislation and regulatory frameworks. The tracker notes it is not globally comprehensive.</p> <p>It includes information on proposed developments in the U.S., UK, Canada, Australia, Brazil, EU, UAE, China, Israel, Saudi Arabia, Singapore, India, Japan, China, New Zealand, and South Korea.</p>	<p>Link to general website</p> <p>Link to Specific Tracker here</p>
National Conference on State Legislatures	Database of bills introduced in state legislatures in 2023 related to AI (excluding autonomous vehicles and facial recognition). This tracker was last updated on January 12, 2024	Link here
2019-2022 State-Level AI Legislation	Covers proposed state level AI legislation from 2019-2022	Link here

Tracker American University School of International Service		
LexisNexis	State AI Legislation tracker, including what laws new legislation amends or builds off of.	Link here
Center for European Policy Analysis (CEPA) Transatlantic Tech Policy Tracker	Tracks tech policy and business developments in Europe and North America since 2020. Includes information about AI, but also includes other issues such as antitrust and content moderation regulation.	Link here
Healthcare AI Litigation Tracker -- Georgetown Law O'Neill Institute for Global Health Law	Tracks and analyzes litigation related to AI in healthcare. Includes analysis on litigation goals	Link here
U.S. Government Use of AI	Pursuant to 2020 E.O. 13960 , Promoting the Use of Trustworthy Artificial Intelligence in the Federal Government. All federal agencies, including DHS and DOD, are required to make a publicly available inventory of “non-classified” and “non-sensitive” AI use cases.	Link here
BakerHostetler (large law firm) AI Copyrights and class action case tracker	Tracks copyright infringement claims against developers of generative AI. This tracker also monitors docket updates.	Link here