

1 H.855

2 Introduced by Representative Harvey of Castleton

3 Referred to Committee on

4 Date:

5 Subject: Court procedure; defenses; actions based on harm caused by artificial
6 intelligence

7 Statement of purpose of bill as introduced: This bill proposes, for purposes of
8 a civil action based on harm caused to a plaintiff by artificial intelligence that
9 was developed or used by a defendant, to prohibit the defendant from raising
10 as a defense that the artificial intelligence autonomously caused the harm.

11 An act relating to defenses in civil actions based on harm caused by
12 artificial intelligence

13 It is hereby enacted by the General Assembly of the State of Vermont:

14 Sec. 1. 12 V.S.A. § 1036a is added to read:

15 § 1036a. DEFENSE PROHIBITED; HARM CAUSED BY AUTONOMOUS
16 ARTIFICIAL INTELLIGENCE

17 (a) In an action against a defendant who developed, modified, or used
18 artificial intelligence that is alleged to have caused harm to the plaintiff, it shall
19 not be a defense, and the defendant shall not assert, that the artificial
20 intelligence autonomously caused the harm to the plaintiff.

1 (b) This section shall not limit or preclude a defendant from presenting:

2 (1) any other affirmative defenses allowed by law; or

3 (2) any other relevant evidence, including evidence relevant to
4 causation, foreseeability, or contributory or comparative negligence.

5 (c) As used in this section, “artificial intelligence” means an engineered or
6 machine-based system that varies in its level of autonomy and that can, for
7 explicit or implicit objectives, infer from the input it receives how to generate
8 outputs that can influence physical or virtual environments.

9 Sec. 2. EFFECTIVE DATE

10 This act shall take effect on passage.