

AI Regulation and AI Government Use

Vermont General Assembly

House Energy and Digital Infrastructure

May 15, 2025



STRENGTHENING THE LEGISLATIVE INSTITUTION



HOW NCSL STRENGTHENS LEGISLATURES



Policy Research



NCSL provides trusted, nonpartisan policy research and analysis

Connections



NCSL links legislators and staff with each other and with experts

Training



NCSL delivers training tailored specifically for legislators and staff

State Voice in D.C.

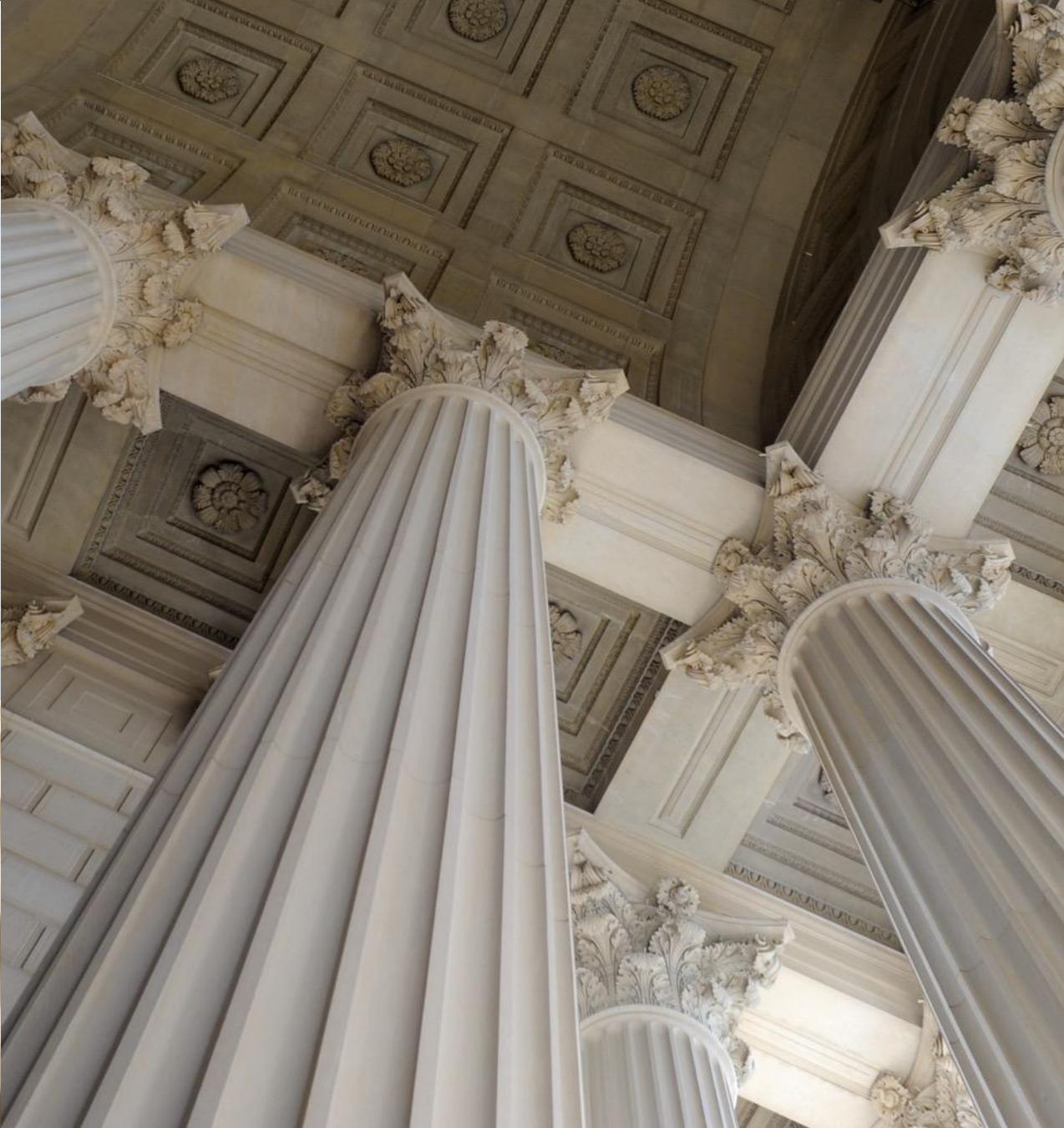


NCSL represents and advocates on behalf of states on Capitol Hill

Meetings



NCSL meetings facilitate information exchange and policy discussions



Agenda

- 2024 and 2025 AI Legislative Themes
- Comprehensive AI Regulation
- Targeted AI Legislation
- State Government Use of AI
- Legislative Use of AI
- Resources

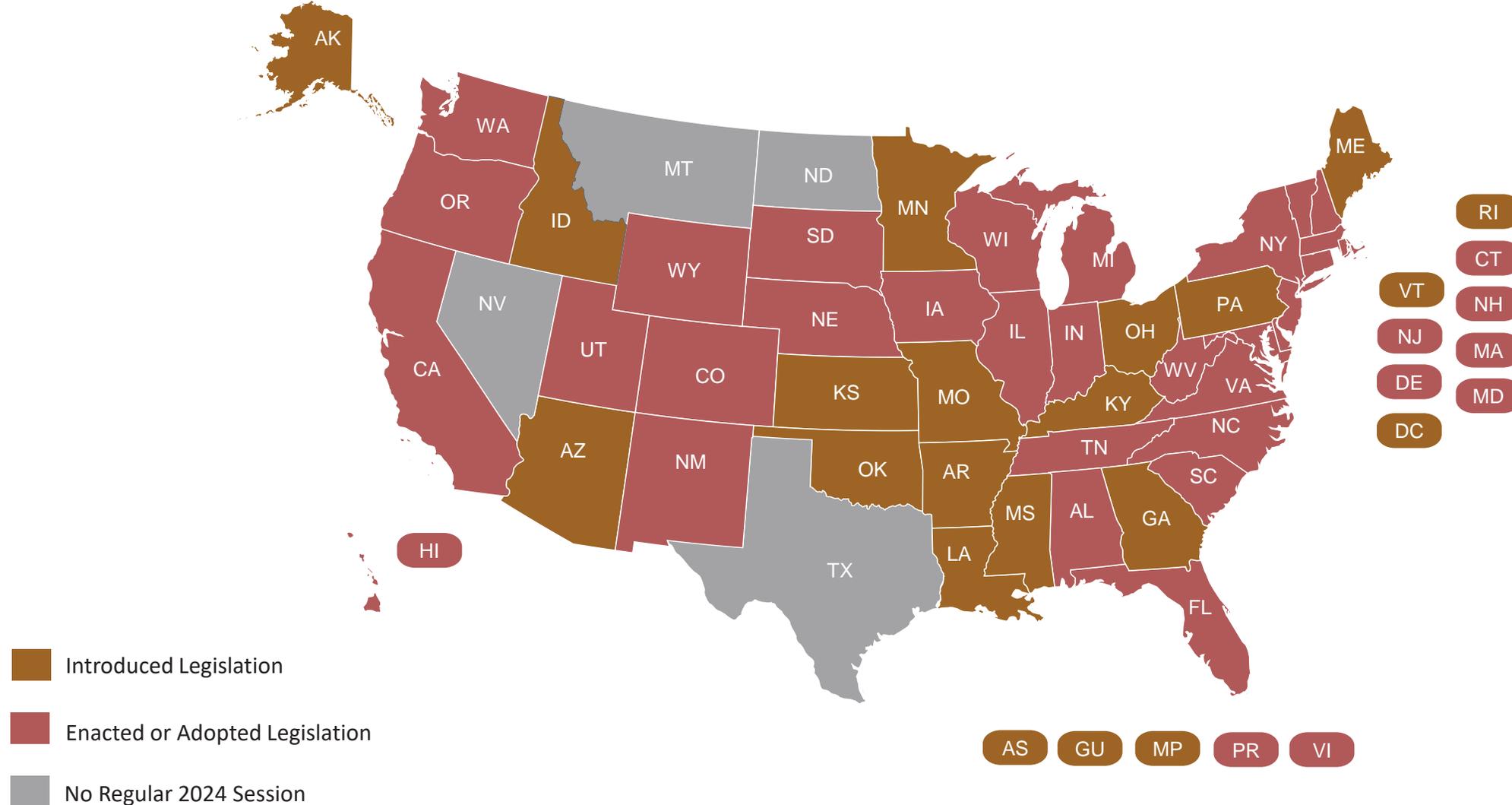


AI 2024 Legislation



Artificial Intelligence State Legislation

2024 Legislative Session



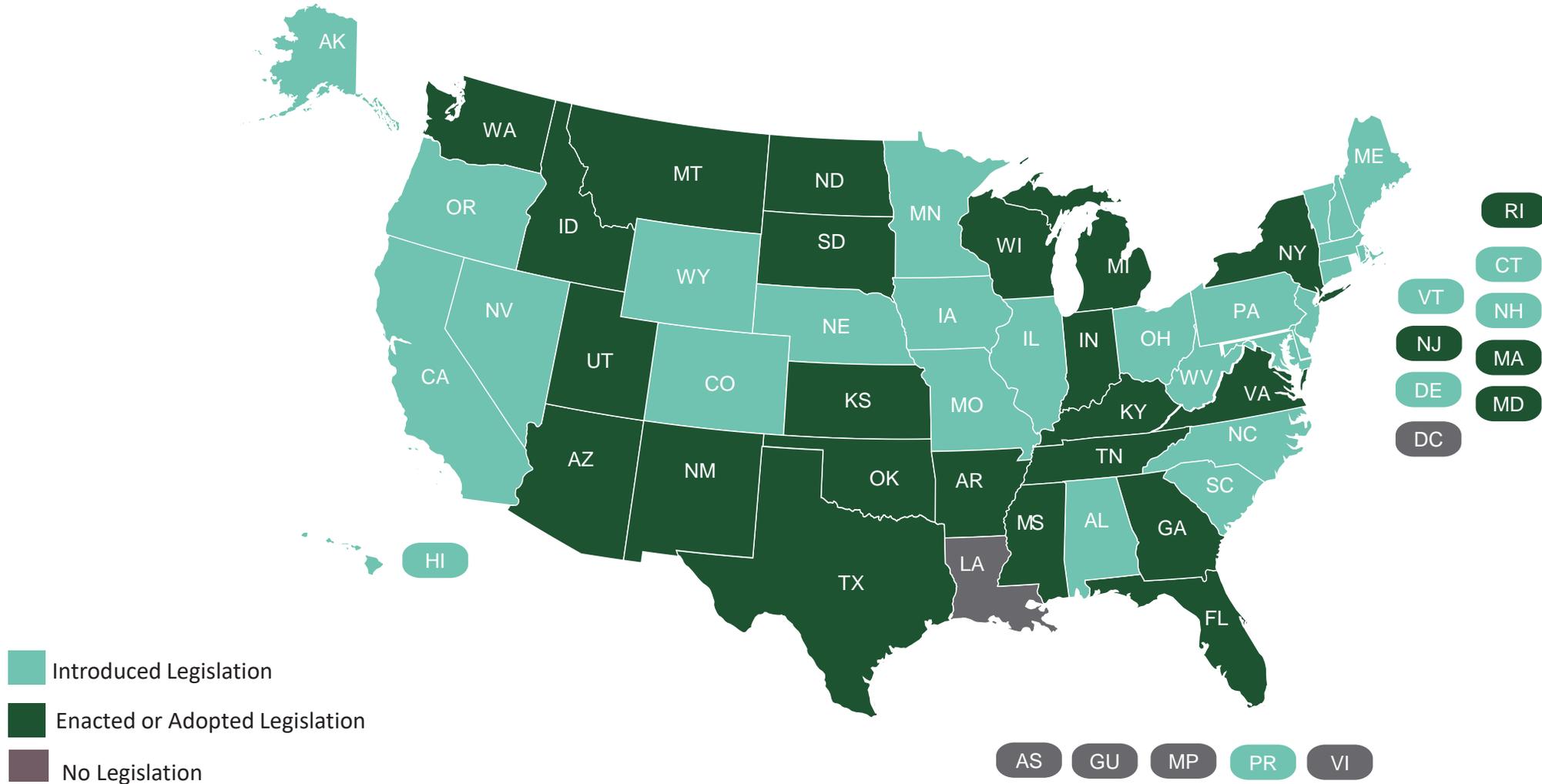


AI 2025 Legislation



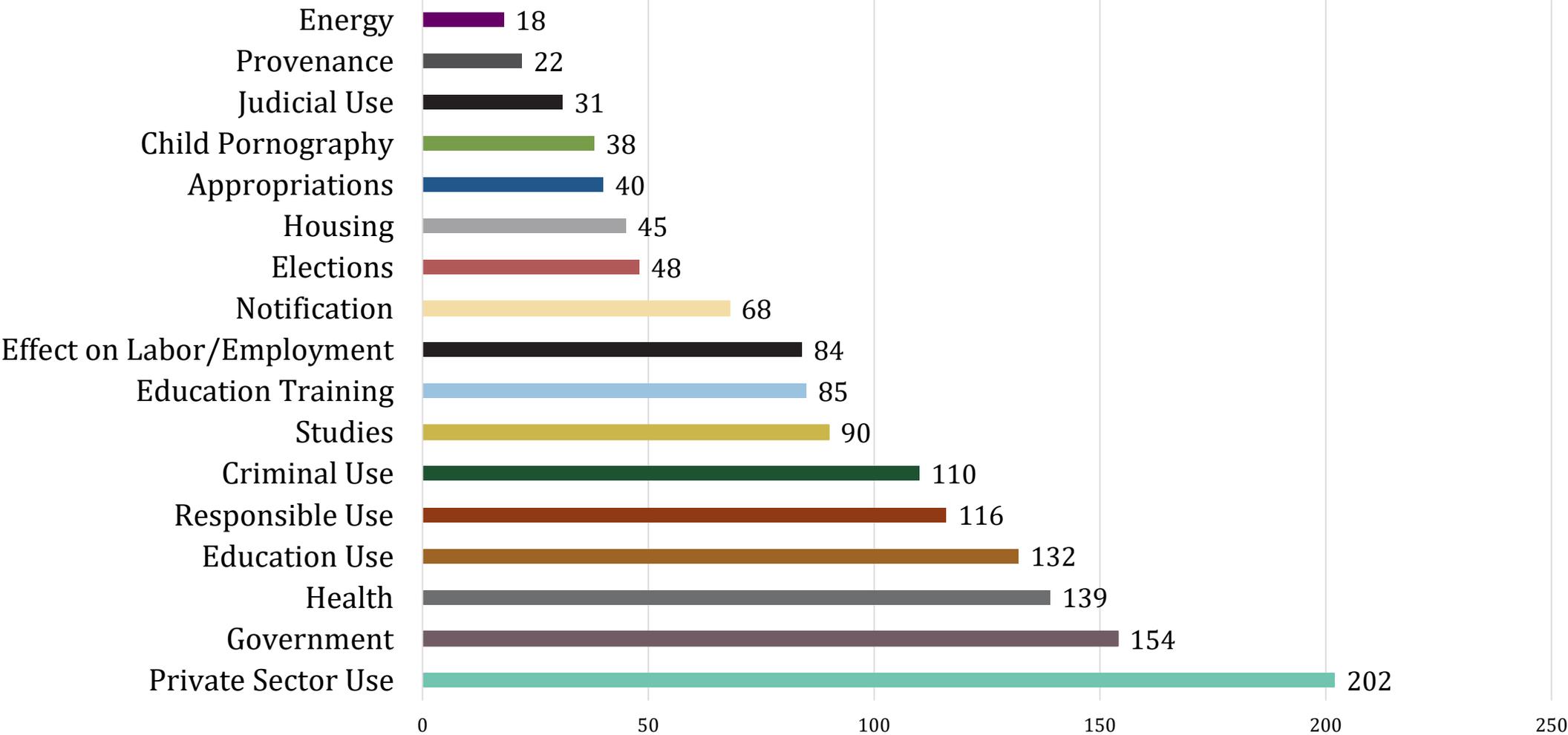
Artificial Intelligence State Legislation

2025 Legislative Session

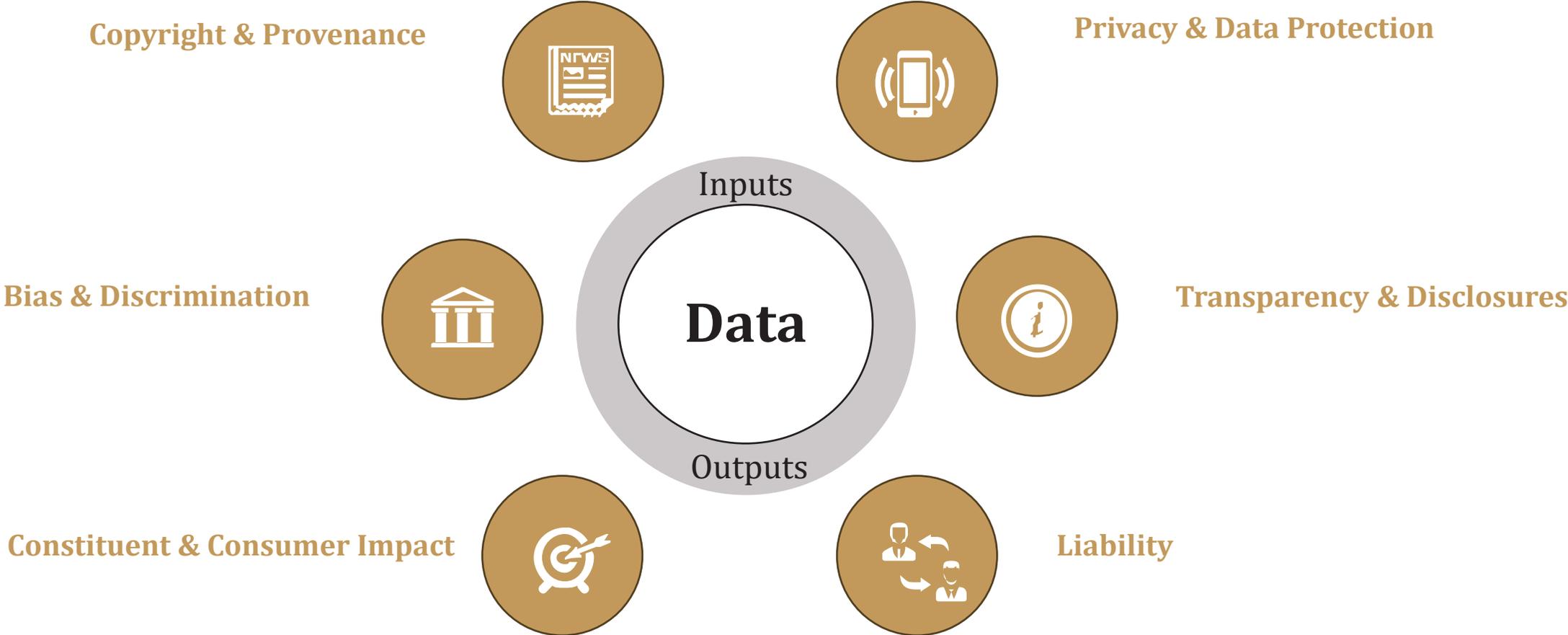


AI Regulation Across the States

Artificial Intelligence 2025 Legislation



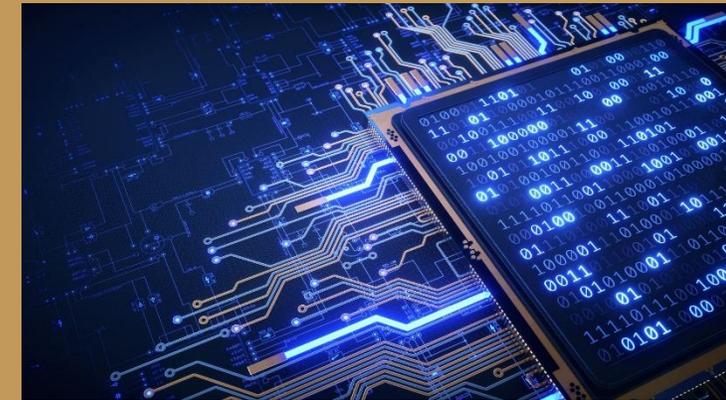
Legal and Legislative Considerations



Comprehensive AI Regulation

Consumer Protections & Safety

- **In 2024, Colorado and Utah were first in the nation to pass comprehensive AI regulation.**
- **Colorado enacted SB 205 which applies to developers and deployers of general-purpose or high-risk AI system and is effective February 2026.**
 - “Algorithmic Discrimination”
 - Data Governance Measures for Training Data Sets
 - Risk Management Policy and Program
 - Impact Assessment
 - Disclosure
- **Utah enacted SB 149 which establishes liability for use of AI that violates consumer protection laws if not properly disclosed.**
 - Creates the Office of Artificial Intelligence Policy and the Artificial Intelligence Learning Laboratory Program
 - Data usage limitations and cybersecurity criteria for participants



Targeted AI Regulation

Synthetic Content and Deepfakes

ELECTIONS

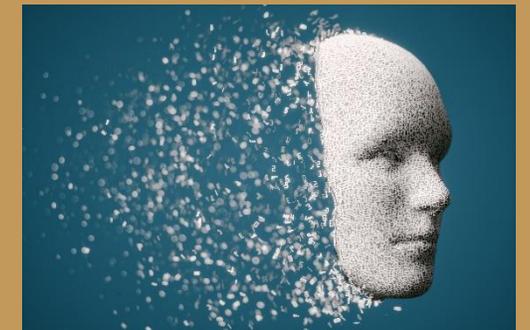
- Amending campaign laws to include the use of deepfakes in election and political messaging.
- 2024: 12 states enacted laws
- 2025: North Dakota, South Dakota and Wisconsin
- Characteristics of laws:
 - Disclosure
 - Time-bound
 - Prohibits impersonation

EXPLICIT CONTENT

- Since 2019, 40 new laws have been enacted.
- State laws focused on sexually explicit images
 - Minors
- Create new crimes
- Amend child pornography laws
- Expand nonconsensual intimate image laws

PERFORMANCE

- Use of likeness
- Digital Replicas
- New state laws:
 - Arkansas (2025)
 - California (2024)
 - Tennessee (2024)



Targeted AI Regulation

2025 Enactments

- **Arkansas ([H 1876](#))**
 - Model Training and Content Generated by Generative AI
- **Colorado ([H 1004](#))**
 - No Pricing Coordination Between Landlords
- **Montana ([S 212](#))**
 - Right to Compute Act
- **North Dakota ([H 1429](#))**
 - Harassment and Stalking with a Robot
- **New Jersey ([AR 158](#))**
 - Artificial Intelligence Companies Whistleblowers
- **New York ([S 822](#))**
 - Automated-Employment Decision Making Tool



Regulating State Government Use of AI

STUDY



State legislatures, governors and state agencies have considered various means to study and drive the use of AI for improving and transforming government services and identifying its potential risks.

INVENTORIES



Over 10 states have instructed state agencies to inventory and describe AI applications within their operations and that impact the services they deliver.

IMPACT ASSESSMENTS



To address concerns about possible bias, discrimination and disparate impact, states have mandated that state agencies run impact assessments to ensure that the AI systems in use are ethical, trustworthy and beneficial.

Regulating State Government Use of AI

OVERSIGHT



State legislatures also have established offices and other authorities to oversee AI implementation and make recommendations.

GUIDELINES



At least 30 states have issued guidance on state agency use through governor executive orders, agency collaboration, rulemaking and state legislation.

PROCUREMENT



State employees responsible for information technology and purchasing are incorporating considerations for AI within their current processes.

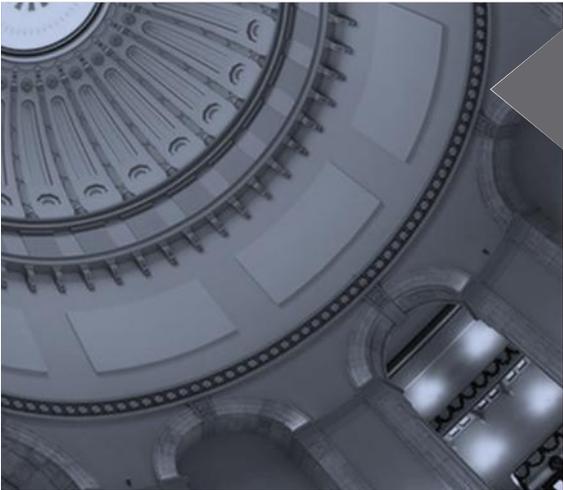
Government Use State Examples

Vermont



TASK FORCE

- 2018 H 378
 - Meet in 2018 and 2019
 - Report
- 2019 H 16
 - Extends to 2020



Other

- Guidelines for Use of Content Generating AI
- Task Force Recommendations
- Council Recommendations

OVERSIGHT

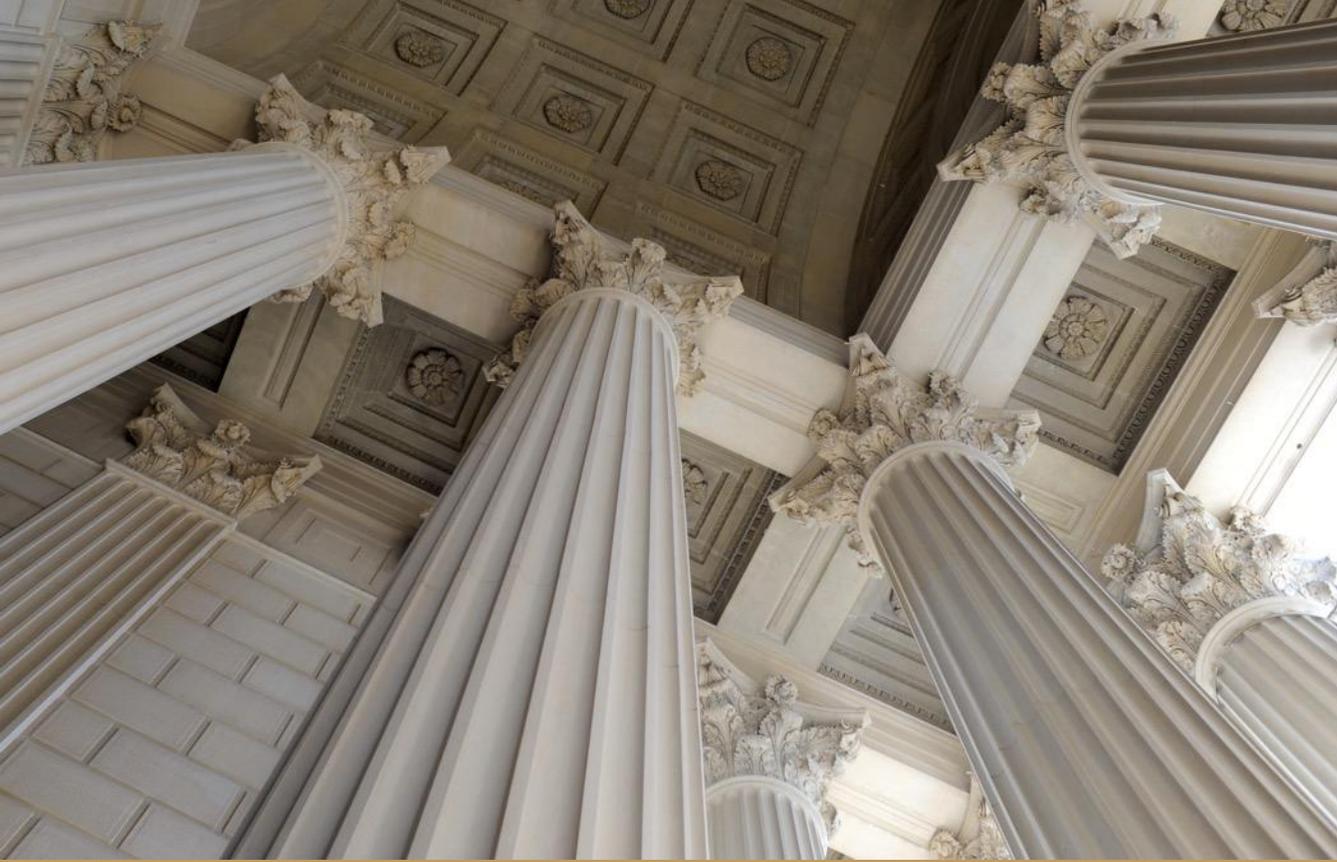
- 2022 H 410
 - Creates Division of Artificial Intelligence within the Agency of Digital Services and Artificial Intelligence Advisory Council
 - Inventory



AI Code of Ethics

- Use of AI
- Characteristics of AI Systems
- Outcomes





Government Use State Examples

Ohio

Artificial Intelligence (AI) Procurement Checklist for State Agencies

- Type of AI
- Scope
- Approvals
- Procurement Vehicle
- Solution Implementation
- Data Governance
- Security and Privacy Governance

AI Government Use

Use Examples



State Legislature

Ohio ([2021 HB 110](#))

- Department of Medicaid

Florida ([2022 HB 5001](#))

- Department of Health

West Virginia ([2023 HB 3214](#))

- Department of Transportation

Hawaii ([2023 SB 2284](#))

- The University of Hawaii



Executive

Arkansas

- Unemployment Insurance Fraud
- Recidivism Reduction

California

- [Proof of Concepts](#)

Pennsylvania

- [Open AI Pilot](#)



State Agency Action

Vermont

- Gen TAX

Oklahoma

- Procurement

Georgia

- Fair Housing Division

Ohio

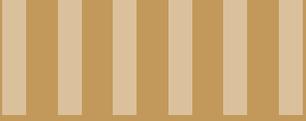
- RegExplorer

Government Use Legislation

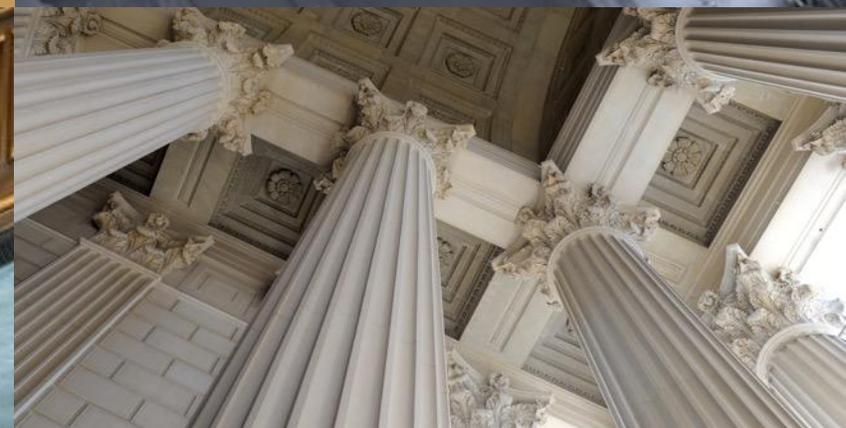
2025 Enactments

- **Arkansas ([H 1958](#))**
 - Public Entities to Create a Policy
- **Georgia ([SR 391](#))**
 - Artificial Intelligence and Digital Currency
- **Indiana ([H 1050](#))**
 - Technical Corrections
- **Kansas ([H 2313](#))**
 - Technology Produced by Certain Foreign Countries
- **Mississippi ([S 2426](#))**
 - Artificial Intelligence Regulation Task Force
- **Montana ([HJR 4](#))**
 - Interim Study of Artificial Intelligence





Legislative Use of AI



NCSL Legislative AI Survey Results

Key Takeaways

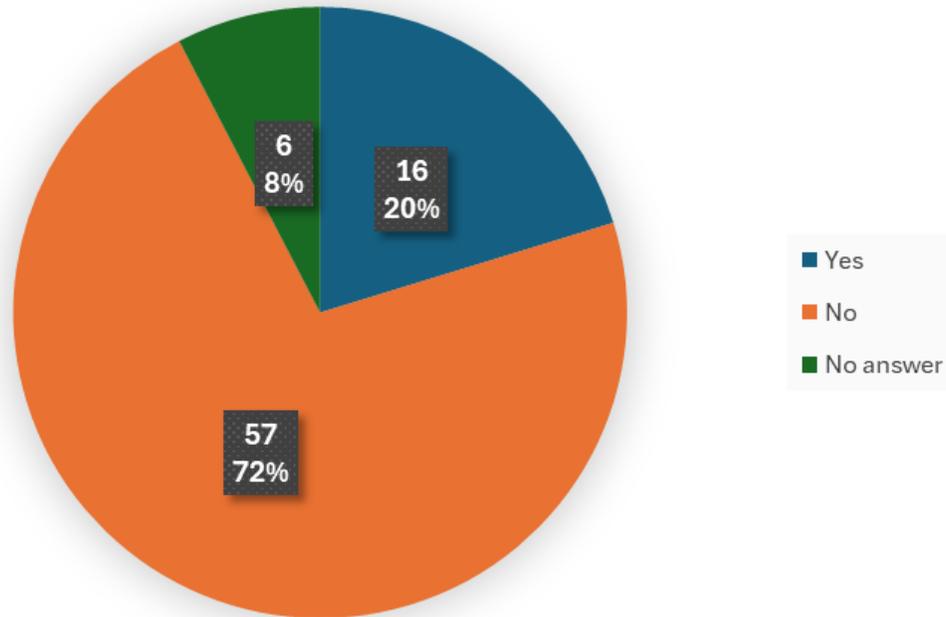


- Legislative staff are currently using AI tools for legislative work
- Generative AI is being added to applications that are commonly used by legislators and legislative staff (Embedded GenAI)
- Legislatures have begun to develop policies around AI usage

NCSL Legislative AI Survey Results

2024 Survey Results

Does your office currently have an AI Usage Policy?



- Prohibit use of AI tools
- Encourage staff to exercise judgement and critical thinking when using AI tools
- Set an allowable list of AI tools and uses
- Require consent from a manager prior to staff usage

RESOURCES



NCSL Resources

[Artificial Intelligence Policy Toolkit](#)

- [Artificial Intelligence 2025 Legislation](#)
- [Artificial Intelligence 2024 Legislation](#)
- [Deceptive Audio or Visual Media \('Deepfakes'\) 2024 Legislation](#)
- [Artificial Intelligence 2023 Legislation](#)
- [Legislation Related to Artificial Intelligence \(2019-2022 Legislation\)](#)
- [Artificial Intelligence and Law Enforcement: The Federal and State Landscape](#)
- [Artificial Intelligence in Government: The Federal and State Landscape](#)
- [Artificial Intelligence in the Workplace: The Federal and State Legislative Landscape](#)
- [AI in Elections: A Look at the Federal and State Legislative Landscape](#)
- [Legislative Use of Artificial Intelligence 2024 Survey](#)

The logo features a stylized dome icon on the left. To its right, the text 'NCSL LEGISLATIVE' is written in a gold, sans-serif font. Below this, the word 'SUMMIT' is written in a large, bold, blue sans-serif font. Underneath 'SUMMIT', the word 'BOSTON' is written in a black sans-serif font, with the '5' in 'BOSTON' highlighted in gold.

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Thank you for joining today!

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