
Consumer Protection & Business Committee

HB 1934

Brief Description: Establishing an artificial intelligence task force.

Sponsors: Representatives Couture, Slatter, Volz, Waters, Rude, Hutchins, Walen, Sandlin, Schmidt, Duerr, Ramos, Ramel, Callan, Kloba, Street, Donaghy, Cheney, Goodman, Ortiz-Self, Reeves, Riccelli and Pollet; by request of Attorney General.

Brief Summary of Bill

- Establishes a task force administered by the Office of the Attorney General to assess uses and trends, and make recommendations for the use and regulation of generative artificial intelligence systems.

Hearing Date: 1/19/24

Staff: Michelle Rusk (786-7153).

Background:

Artificial Intelligence.

Artificial intelligence (AI) is defined and understood in different ways. The National Artificial Intelligence Initiative Act of 2020 (Act) defines AI as a machine-based system that can, for a given set of human-defined objectives, make predictions, recommendations or decisions influencing real or virtual environments. The Act further describes AI systems as systems using machine and human-based inputs to: (1) perceive real and virtual environments; (2) abstract such perceptions into models through analysis in an automated manner; and (3) use model inference to formulate options for information or action.

The Act established the National Artificial Intelligence Initiative, implemented by the United

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States President and tasked with ensuring continued US leadership in AI research and development, leading the world in development and use of trustworthy AI systems in the public and private sectors, preparing the United States workforce for integration of AI systems across all sectors, and coordinating ongoing AI research and development among government agencies.

By Executive Order, the White House adopted the Act's definition of AI, and defined related concepts including "generative AI," as the class of AI models that emulate the structure and characteristics of input data in order to generate derived synthetic content, which may include images, videos, audio, text, and other digital content. State law does not define artificial intelligence or expressly regulate its use.

Summary of Bill:

Task Force Established.

Subject to the availability of amounts appropriated, a task force is established to assess uses and trends, and make recommendations for the use and regulation of generative artificial intelligence (AI) systems. The task force must examine the development and use of generative artificial intelligence by private and public sector entities and make recommendations regarding standards for the use and regulation of generative artificial intelligence systems.

The task force findings and recommendations must include:

- a literature review of public policy issues with generative AI;
- a review of existing protections under state and federal law for individual data and privacy rights, safety, civil rights, and intellectual property rights, and how laws relating to generative AI align, differ, conflict, and interact across levels of government;
- a recommended set of guiding principles for generative AI use;
- identification of high-risk uses of AI;
- opportunities to support and protect innovation of generative AI technology;
- recommendations on appropriate uses and limitations on the use of generative AI by state and local governments and the private sector;
- racial equity issues posed by generative AI systems and ways to mitigate concerns;
- civil liberties issues posed by artificial intelligence systems and potential civil rights and civil liberties protections;
- recommendations for how the state should educate the public on the development and use of generative AI; and
- proposed state regulatory structures for the use of generative AI to require the development, deployment, and use of AI systems to: (1) retain appropriate human agency and oversight; (2) be subject to internal and external security testing of systems before public release; (3) protect data privacy and security; (4) ensure transparency for consumers; and (5) ensure accountability.

Membership.

The membership of the task force must include representatives from: (1) the Legislature and Governor's office; (2) state agencies; (3) federally recognized tribes; (4) advocacy organizations

representing communities disproportionately vulnerable to harm by algorithmic bias; (5) private technology industry groups or technology companies; (6) industry associations, (7) nonprofits, (8) specified advocacy groups, (9) organizations and individuals with specified expertise, (10) statewide labor organizations; and (11) universities or research institutions. Nonmembers may be engaged to serve on subcommittees as needed.

Administration.

The Office of the Attorney (AGO) general must administer and provide staff support for the task force, and may retain consultants when deemed necessary to support the task force's work. The task force must hold its first meeting by December 31, 2024, and meet at least twice each year. It must submit an interim report to the Governor and Legislature with its findings and recommendations by December 1, 2025, and a final report by June 1, 2027.

Definitions.

The following definitions are established:

- "Artificial intelligence" means technologies that enable machines, particularly computer software, to simulate human intelligence.
- "Generative artificial intelligence" means technology that can mimic human ability to learn patterns from substantial amounts of data and create content based on the underlying training data, guided by a user or prompt.
- "Machine learning" means a process by which an AI is fed significant volumes of data allowing the AI to learn and adapt without following explicit instructions from a developer.

Appropriation: None.

Fiscal Note: Preliminary fiscal note available.

Effective Date: The bill takes effect 90 days after adjournment of the session in which the bill is passed.