STATE OF NEW YORK

10583

IN ASSEMBLY

June 20, 2024

Introduced by COMMITTEE ON RULES -- (at request of M. of A. Bichotte Hermelyn) -- read once and referred to the Committee on Science and Technology

AN ACT to amend the state technology law, in relation to prohibiting the use of certain artificial intelligence models

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. The state technology law is amended by adding a new section 106-c to read as follows:

§ 106-c. Use of artificial intelligence programs. 1. As used in this section:

a. "artificial intelligence" or "AI" means any machine-based system that makes decisions based on algorithms, machine learning, or any form of data-driven modeling;

b. "large language model" or "LLM" means any AI model designed to understand and generate human language based on large datasets;

c. "state agency" means any department, board, bureau, division, commission, committee, public benefit corporation, public authority, or other governmental entity of the state; and

d. "state-owned entity" means any entity that is owned or controlled by the state, including but not limited to public universities, state-run hospitals, and other state-funded organizations.

2. No state agency or state-owned entity shall implement or utilize large language models or any artificial intelligence systems to make decisions that affect individuals' rights, benefits, or services. All decisions affecting individuals' rights, benefits, or services must be made by human personnel of the respective state agency or state-owned entity.

3. a. The provisions of this section shall not apply to the use of AI or LLMs in purely advisory capacities, provided that the final decision is made by human personnel.

b. The use of AI for data analysis, research, or other non-decision-making purposes is not prohibited by this section.

EXPLANATION--Matter in *italics* (underscored) is new; matter in brackets [-] is old law to be omitted.

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4. Each state agency and state-owned entity shall develop and implement policies and procedures to ensure compliance with this section.

5. The attorney general shall have the authority to investigate violations of this section and take appropriate legal action to enforce its provisions.

§ 2. This act shall take effect on the ninetieth day after it shall have become a law.