STATE OF NEW YORK

6656

2025-2026 Regular Sessions

IN ASSEMBLY

March 6, 2025

Introduced by M. of A. RAJKUMAR -- read once and referred to the Committee on Consumer Affairs and Protection

AN ACT to amend the general business law, in relation to responsible capability scaling policies

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

Section 1. The general business law is amended by adding a new section 390-f to read as follows:

§ 390-f. Responsible capability scaling. 1. For the purposes of this section the following terms shall have the following meanings:

(a) "Artificial intelligence" shall mean any set of computer programming instructions for the purpose of creating technology that performs its own decision making.

(b) "Chief information officer" shall mean the individual or office established pursuant to executive order no. 117 issued on January twenty-eighth, two thousand two by Governor Pataki, or any successor individual or office designated by the governor or provided for in statute, or an individual or office designated by the governor or provided for in statute to regulate artificial intelligence. Such term may also be used to refer to the office of the "chief cyber officer" appointed by the governor.

(c) "Responsible capability scaling policy" shall mean a set of best practices that identify, monitor, and rectify or mitigate risk of harm.

2. (a) Every person, firm, partnership, association or corporation doing business or offering products to consumers in New York state shall develop a responsible capability scaling policy for the use and development of artificial intelligence by such entity.

(b) Each such entity shall file an annual certification of compliance with this section with the chief information officer.

(c) The chief information officer may issue waivers or designate categories of entities that are covered or exempt from the requirements of

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

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this section. Such information shall be available on the secretary of state's website.

(d) The attorney general, in consultation with the chief information officer, shall have the power to audit the policies filed by entities under this section.

3. If an entity also has to file any certification of cybersecurity compliance with the department of financial services, such filings shall be done jointly.

4. The chief information officer shall promulgate rules and regulations for the implementation of the provisions of this section.

§ 2. This act shall take effect on the ninetieth day after it shall have become a law. Effective immediately, the addition, amendment and/or repeal of any rule or regulation necessary for the implementation of this act on its effective date are authorized to be made and completed on or before such effective date.