§ 103-e. Artificial intelligence (AI) inventory. 1. The office shall maintain an inventory of state agency artificial intelligence systems. The office shall issue guidance to state agencies identifying the data elements to be collected and submitted to the office for such inventory, including but not limited to the purpose and uses of the artificial intelligence systems. The inventory shall be posted on the New York state open data website on the thirtieth of December next succeeding the date this section takes effect, and annually thereafter. State agencies shall submit information required by the office at least sixty days in advance of the annual publication date. The office may withhold certain information if it determines disclosure of this information would jeopardize the security of information technology assets, or as prescribed by article six of the public officers law.

2. For purposes of this section, "artificial intelligence system" shall mean a machine-based system that can, for a given set of human-defined objectives, make predictions, recommendations, or decisions influencing real or virtual environments that, when used, may "directly impact the public". Artificial intelligence systems use machine- and human-based inputs to perceive real and virtual environments, abstract such perceptions into models through analysis in an automated manner, and use model inference to formulate options for information or action. "Artificial intelligence system" includes but is not limited to systems that use machine learning, large language model, natural language processing, and computer vision technologies, including generative artificial intelligence. "Artificial intelligence system" shall not include basic calculations, basic automation, or pre-recorded rule-based conditional logic response systems with predefined triggers that automatically initiate predetermined actions, such as If This Then That (IFTT) systems.

3. For purposes of this section, "directly impact the public" shall mean when the use of an artificial intelligence system would control, have a material impact on, or meaningfully influence the outcome of activities that impact the safety, welfare, or rights of the public. Such activities include but are not limited to assessments or decisions about individuals including in law enforcement, housing, hiring and

employment, financial, educational, or healthcare contexts, decisions regarding access to or eligibility for government benefits or about child welfare, or the functioning of emergency services or critical infrastructure.

4. The office may ask and shall receive from any state agency any information or assistance necessary to carry out its powers and duties under this section.

5. The office shall submit a copy of the artificial intelligence inventory to the governor, the temporary president of the senate, and the speaker of the assembly.