Laws going into effect in 2023/2024

Of the AI-related laws going into effect in 2023, most of them are part of comprehensive consumer privacy laws.

State/City	Name	Date passed	Date in effect	Description
California	California Privacy Rights Act (CPRA)	November 3, 2020	January 1, 2023	CPRA amends the California Consumer Privacy Act, introducing provisions impacting AI like additional limitations on data retention, data sharing, and use of sensitive personal information.
Colorado	Colorado Privacy Act (CPA)	July 7, 2021	July 1, 2023	The CPA gives consumers the right to opt-out of profiling in furtherance of automated decisions. It also requires a data protection assessment for activities that pose a "heightened risk of harm," including targeted advertising and some types of profiling.
Connecticut	Connecticut Data Privacy Act (CTDPA)	May 10, 2022	July 1, 2023	The CTPA gives consumers the right to opt-out of profiling in furtherance of automated decisions. It also requires a data protection assessment for activities that pose a "heightened risk of harm," including targeted advertising and some types of profiling.
New York City	Automated Employment Decision Tools	December 11, 2021	January 1, 2023	AEDT regulates the use of AI in hiring. It requires employers to notify candidates about the use of such tools, allows candidates to request what data is used, and requires an annual audit to evaluate the tool for bias.
Virginia	Virginia Consumer Data Privacy Act (VCDPA)	March 2, 2021	January 1, 2023	The VCDPA gives consumers the right to opt-out of profiling in furtherance of automated decisions. It also requires a data protection assessment for activities that pose a "heightened risk of harm," including targeted advertising and some types of profiling.
Utah	Utah Consumer Privacy Act (UCPA)	March 24, 2022	December 31, 2023	The UCPA gives consumers the ability to opt-out of profiling using personal data. Notably, it does not require impact assessments for data controllers.

Laws passed this legislative session.

This legislative session, Montana, Indiana, Oregon, Tennessee, and Texas passed comprehensive consumer privacy laws that includes provisions regulating AI, mirroring laws that California, Colorado, Connecticut, and Virginia have previously passed.

State	Name	Date passed	Date in effect	Description
Arizona	Ballot Processing and Electronic Adjudication Limit (SB1565)	April 10, 2023	N/A (governor veto)	Ballot processing would not be able to use AI or learning software.
Connecticut	An Act Concerning Artificial Intelligence, Automated Decision-Making and Personal Data Privacy (S1103)	June 5, 2023	Starting from July 1, 2023	This law establishes an Office of Artificial Intelligence, protects children from targeted advertising, and establishes a task force to study AI and develop an AI Bill of Rights.

Delaware	Delaware Personal Data Privacy Act (HB154)	June 30, 2023	January 1, 2025	This law allows consumers to opt-out of profiling in furtherance of automated decisions and requires a data protection assessment for activities that pose a "heightened risk of harm."
Georgia	HB203	May 2, 2023	July 1, 2023	This law regulates automated eye assessments; among other things, automated eye assessments shouldn't replace eye exams that are done in "real time."
Hawaii	SR123/SCR179	April 2023	April 2023	This resolution warns against the unintended consequences of AI and urges Congress to discuss the benefits and risks of AI.
Indiana	Indiana Data Privacy Act (SB5)	May 1, 2023	January 1, 2026	This law allows consumers to opt-out of profiling in furtherance of automated decisions and requires a data protection assessment for activities that pose a "heightened risk of harm."
Maryland	HB622	May 8, 2023	October 1, 2023	This law establishes a grant program that funds small and medium-sized businesses that will implement "Industry 4.0 Technology," which includes AI.
Montana	Montana Consumer Data Privacy Act (SB 384)	April 21, 2023	October 1, 2024	This law allows consumers to opt-out of profiling in furtherance of automated decisions. It also requires a data protection assessment for activities that pose a "heightened risk of harm."
North Dakota	HB 1361	April 12, 2023	April 12, 2023	This act amends the North Dakota Code to clarify that AI is not a person.
Oregon	Oregon Consumer Privacy Act (SB619)	June 23, 2023	July 1, 2024	This act allows consumers to opt-out of profiling and requires a data protection assessment for some controllers that pose a "heightened risk of harm."
Tennessee	Tennessee Information Protection Act (SB0073)	May 11, 2023	July 1, 2025	This act allows consumers to opt-out of targeted advertising and profiling, and it requires data protection impact assessments for activities that pose a "heightened risk."
Texas	Texas Data Privacy and Security Act (HB4)	June 18, 2023	July 1, 2024	This act allows consumers to opt-out of targeted advertising and profiling, and requires data protection assessments for certain controllers.
Texas	Artificial Intelligence Advisory Council (HB 2060)	June 13, 2023	June 13, 2023	This act creates an advisory council to study the effects of AI and report findings to the legislature.

AI Regulation as part of Comprehensive Consumer Privacy Bills

Several states have proposed comprehensive consumer privacy bills, following in the footsteps of Colorado, California, Connecticut, and other states.

State	Name	Date introduced	Description
Hawaii	Hawaii Consumer Data Protection Act (SB974 or SB1110/HB1497)	January 20, 2023	This bill would allow users to opt-out of profiling that uses their personal data, and would require data protection assessments for processing activities posing a "heightened risk to consumers."
Illinois	Illinois Data Privacy and Protection Act (HB3385)	February 17, 2023	This bill would regulate collection and processing of personal information through algorithms.
Maine	Maine Data Privacy and Protection Act (HB1270)	May 19, 2023	This bill prohibits discrimination through data processing, regulates targeted advertising, and requires an impact assessment for "high risk" algorithms.
Massachusetts	Massachusetts Data Privacy Protection Act (MDPPA), Massachusetts Information Privacy Protection Act (MIPSA), and the Internet Bill of Rights (H.1555)	January 18-20, 2023	Three competing consumer privacy bills all would consumers the right to know about or opt-out of automated profiling, and require impact assessments for controllers engaged in automated decision making.
Minnesota	Minnesota Consumer Data Privacy Act (HF2309/SF2915)	March 15, 2023	This bill would allow consumers to opt-out of profiling and would require data protection assessments.
New Hampshire	Consumer Data Privacy Act (SB255)	January 19, 2023	This bill would allow consumers to opt-out of profiling and would require data protection assessments.
New York	New York Privacy Act (SB365 or AB3593)	January 4 and February 3, 2023	These alternative versions of a New York comprehensive privacy law give consumers more control over automated decisions used for profiling and require impact assessments.
Pennsylvania	Consumer Data Protection Act (HB708)	March 27, 2023	This bill would allow consumers to opt-out of profiling and would require data protection assessments.
Rhode Island	Rhode Island Data Transparency and Privacy Protection Act (HB6236)	March 30, 2023	This bill would allow consumers to opt-out of profiling and would require data protection assessments.
Washington	People's Privacy Act (SB5643/HB1616)	January 31, 2023	This bill would restrict the use of AI profiling and facial recognition in public accommodations.

AI Regulation to Prevent General Harms

Several states have proposed bills that guard against the general harms of AI.

State/District	Name	Date introduced	Description
California	Automated Decision Tools (AB 331)	January 30, 2023	This bill would require impact assessments for automated decision-making tools, and it would give consumers the right to

State	Name	Date introduced	Description
			request manual review for consequential decisions. Specifically, it expressed concern for decisions made in employment, education, housing, healthcare, utilities, family planning, financial services, and the criminal justice system.
District of Columbia	Stop Discrimination by Algorithms Act (B25-0114)	February 2, 2023	This bill would stop algorithms from making decisions based on individuals protected personal traits.
New Jersey	S1402	February 10, 2023	This bill would make it unlawful for an automated decision system to discriminate against members of a protected class in loans, insurance, or healthcare settings.
New York	Digital Fairness Act (S2277)	January 19, 2023	This bill would require automated decision system impact assessments, prevent discriminatory practices with targeted advertising, and regulate the use of biometric data, among other provisions.

Regulating AI in Employment Settings

Following in the footsteps of New York City, several states have proposed bills regulating AI use in employment settings, often around making hiring decisions.

State	Name	Date introduced	Description
Illinois	HB 3773	February 17, 2023	This bill would restrict employers from using race, or zip code as a proxy for race, when making automated hiring decisions.
Massachusetts	An Act Preventing a Dystopian Work Environment (H.1873)	February 16, 2023	This bill would require employers to provide employees with notice about algorithmic decisions and monitoring. It would also give employees the right to request information processed through algorithms.
New Jersey	A4909	December 5, 2022	This bill would require bias audits for automated decision tools used for hiring and would require employers to notify candidates that they were screened using an automated tool.
New York	S5641/A567	March 10, 2023	This bill would amend labor law to include criteria for automated decision making tools. It would also require disparate impact analysis.
New York	A7858	July 7, 2023	This bill would require employers to give notice to candidates if they use automated decision tools to make employment decisions.
Vermont	H114	January 25, 2023	This bill would restrict the electronic monitoring of employees for employment-related decisions.

Regulating AI in Healthcare

Expressing their skepticism that algorithms can make better decisions than medical professionals when it comes to healthcare, states have proposed bills that regulate the use of AI in physical and mental health services.

State	Name	Date introduced	Description

State	Name	Date introduced	Description
California	AB1502	February 17, 2023	This bill would prevent healthcare providers using automated decision systems from discriminating based on race, color, national origin, sex, age, or disability.
Illinois	HB1002	January 11, 2023	This bill would require that algorithms used to diagnose patients are certified and shown to achieve accurate results. It also would give patients the right to know that an algorithm diagnosed them and opt-out of its use.
Illinois	HB3338	February 17, 2023	This bill would prevent hospitals from adopting policies that prevent nurses from substituting their judgment for the automated recommendations of AI systems.
Maine	SB656a	April 12, 2023	This bill would prevent hospitals from adopting policies that prevent nurses from substituting their judgment for the automated recommendations of AI systems.
Massachusetts	HB1974	February 16, 2023	This bill would require that AI used for mental health patients be pre-approved and monitored, and that patients would be informed about and must consent to AI use.
Rhode Island	HB6285	April 19, 2023	This bill would require that AI used for mental health services be pre-approved, and that patients are informed about AI use and can opt for mental health treatment from a professional instead.
Texas	HB4695	March 10, 2023	This bill would only allow mental health professionals to administer mental health care through AI and requires that the mental health professional be available to monitor progress or communicate with the patient.

Regulating AI in Insurance

Legislators have expressed concerns about AI decision-making in insurance contexts.

State	Name	Date introduced	Description
New Jersey	A537	January 11, 2022	This bill would require automobile insurers using AI to provide documentation that shows a lack of discriminatory outcomes.
New York	AB843	January 11, 2023	This bill would prevent automobile insurers from using factors like age, sex, marital status, sexual orientation, income level, or employment and education status to determine insurance rates.
Rhode Island	H5734	February 21, 2023	This bill would prohibit unfair discrimination in the insurance context, requiring insurers using AI to provide data sources they use and conduct a risk management assessment.

Regulating AI Used by the Government

Expressing their concern for bias in automated decision making used by state actors, states have proposed bills that would require government actors to follow responsible AI procurement and implementation practices.

State	Name	Date introduced	Description
California	A302	January 26, 2023	This bill would require the Department of Technology to take inventory of all high-risk automated decision systems used by state agencies.
California	S398	February 9, 2023	This bill would require the Department of Technology to develop a research plan to investigate potential new uses of technology for the state, including "virtual assistants powered by AI."

State	Name	Date introduced	Description
California	California AI-ware Act (S313)	February 6, 2023	This bill would require any state agency using generative AI to communicate to disclose to that person that the communication is through generative AI.
Massachusetts	H64/S33	February 16, 2023	This bill would establish a State Commission on Automated Decision Making to investigate Massachusetts's AI use.
Missouri	H311	January 4, 2023	This bill would establish the Missouri State Technology Task Force which would investigate AI used by the state, among other technologies.
New Jersey	SB3876	May 22, 2023	This bill would appoint an Artificial Intelligence Officer to oversee state agencies' uses of AI.
New York	A5309	March 7, 2023	This bill would require state units purchased products that use automated decision making to adhere to responsible AI standards.
Rhode Island	S117	February 1, 2023	This bill would establish a commission to study and regulate the use of AI by the state government.
Rhode Island	H6423	May 19, 2023	This bill requests that the government review the extent of automated decision making used by the state of Rhode Island and its impacts.
Washington	S5356	January 12, 2023	This bill would require government agencies to follow responsible methods for procuring AI, assess the impacts of automated decision-making systems they use, and conduct ongoing monitoring to uncover bias or discrimination.

Regulating Generative AI

In addition to the California AI-ware Act (mentioned above) which regulates the government's use of generative AI, the below bills also attempt to mitigate generative AI harms.

State	Name	Date introduced	Description
Massachusetts	An Act drafted with the help of ChatGPT to regulate generative artificial intelligence models like ChatGPT (S.31)	February 16, 2023	This bill would prohibit bias in generative AI models and would require safeguards against plagiarism and consumer privacy protections for those using generative AI, as well as registration with the attorney general.
New York	S6859/A216A	January 2, 2023	This bill would require advertisers to disclosure their use of "synthetic media."
New York	A7106/S7592	May 10, 2023	This bill would require political communications to disclose the use of synthetic media.
New York	A7634/S7422	May 25, 2023	This bill would prevent film production companies receiving production credit from using AI to replace actors in their productions.
Pennsylvania	H1063	April 28, 2023	This bill would criminalize disseminating AI-generated sexually explicit images of people without their consent.
Rhode Island	HB6286	April 19, 2023	This bill would hold generative AI models to certain operating standards, and it would require them to register with the attorney general.

Bills to Increase Transparency and Understanding Around AI

Several states proposed bills that would track AI use or establish commissions to study AI's effects.

State	Name	Date introduced	Description
California	S721	February 16, 2023	This bill would establish a California Interagency AI Working Group to deliver a report on AI.
California	AB1282	February 16, 2023	This bill would establish a commission to report on the mental health risks associated with children's use of social media and artificial intelligence.
Illinois	H3563	February 17, 2023	This bill would establish a Generative AI and Natural Language Processing Task Force.
Maryland	H1068	February 10, 2023	This bill would create a Commission on Responsible AI in Maryland.
Maryland	H1034	February 10, 2023	This bill would establish an AI Impact Advisory Board.
Nevada	S165	February 16, 2023	This bill would create an Emerging Technologies Task Force.
New Jersey	A168	January 11, 2022	This bill would require a report on AI's impact on the economy and workforce.
New Jersey	A5150	February 6, 2023	This bill would require those applying for unemployment benefits to designate whether their job loss was related to automation or other technological advances.
New Mexico	HM75/SM63	February 28, 2023	This bill requests that a task force convene to study automated decision making's impact on children when those tools are used to analyze child abuse and neglect.
New York	A4969/S6402	February 27, 2023	This bill would create a commission to study AI, robotics, and automation.
New York	A7501	May 25, 2023	This bill would create an office of algorithmic innovation, which would create policies and standards that ensure AI is fair.
New York	A7838	July 7, 2023	This bill would require a long-term study on the impacts of AI on the state's workforce and would deter AI from replacing state employees' jobs.
North Carolina	S460	April 3, 2023	This bill would establish a committee on automation and the workforce.
Pennsylvania	HB49	March 7, 2023	This bill would create a registry of all businesses using AI in the state.
Pennsylvania	HR170/SR143	June 29, 2023	This resolution urges the state to establish an advisory committee to investigate AI's impacts on the state.
Texas	H3633	March 6, 2023	This bill would establish a committee to decide whether to establish a program that would train individuals in the workforce on the use of AI.

Other AI-related Bills

State	Name	Date introduced	Description
Illinois	Anti-Click Gambling Data Analytics Collection Act (H2570)	February 15, 2023	This bill would prevent data collection on gambling platforms that would be used to predict how a player might gamble.
Pennsylvania	HB1380	June 12, 2023	Among other things, this bill would explicitly authorize using AI to determine eligibility or fraud for public benefits.

Rhode Island	S0146	February 1, 2023	This bill would prohibit the use of AI in sports betting applications.
South Carolina	SB404	January 18, 2023	This bill would prohibit targeted advertising using automated decision making for a user under 18. It would require the platform to perform age verification to ensure the user is 18 or older.