General Assembly

Amendment

February Session, 2024

LCO No. **3940**

Offered by:
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To: Senate Bill No. **2** File No. 188 Cal. No. 132

"AN ACT CONCERNING ARTIFICIAL INTELLIGENCE."

Strike everything after the enacting clause and substitute the following in lieu thereof:

"Section 1. (NEW) (*Effective October 1, 2024*) For the purposes of this section and sections 2 to 8, inclusive, of this act, unless the context otherwise requires:

(1) "Algorithmic discrimination" (A) means any condition in which an artificial intelligence system materially increases the risk of any unlawful differential treatment or impact that disfavors any individual or group of individuals on the basis of their actual or perceived age, color, disability, ethnicity, genetic information, limited proficiency in the English language, national origin, race, religion, reproductive health, sex, veteran status or other classification protected under the laws of this state or federal law, and (B) does not include (i) any offer, license or use of a high-risk artificial intelligence system by a developer or deployer for the sole purpose of (I) the developer's or deployer's self-

testing to identify, mitigate or prevent discrimination or otherwise ensure compliance with state and federal law, or (II) expanding an applicant, customer or participant pool to increase diversity or redress historic discrimination, or (ii) any act or omission by or on behalf of a private club or other establishment not in fact open to the public, as set forth in Title II of the Civil Rights Act of 1964, 42 USC 2000a(e), as amended from time to time;

(2) "Artificial intelligence system" means any machine-based system that, for any explicit or implicit objective, infers from the inputs such system receives how to generate outputs, including, but not limited to, content, decisions, predictions or recommendations, that can influence physical or virtual environments;

(3) "Consequential decision" means any decision that has a material legal or similarly significant effect on the provision or denial to any consumer of, or the cost or terms of, (A) any criminal case assessment, any sentencing or plea agreement analysis or any pardon, parole, probation or release decision, (B) any education enrollment or opportunity, (C) any employment or employment opportunity, (D) any essential utility, including, but not limited to, electricity, heat, Internet or telecommunications access, transportation or water, (E) any financial or lending service, (F) any essential government service, (G) any health care service, or (H) any housing, insurance or legal service;

(4) "Consumer" means any individual who is a resident of this state;

(5) "Deploy" means to use a high-risk artificial intelligence system;

(6) "Deployer" means any person doing business in this state that deploys a high-risk artificial intelligence system;

(7) "Developer" means any person doing business in this state that develops, or intentionally and substantially modifies, (A) a general-purpose artificial intelligence model, or (B) a high-risk artificial intelligence system;

(8) "General-purpose artificial intelligence model" (A) means any form of artificial intelligence system that (i) displays significant generality, (ii) is capable of competently performing a wide range of distinct tasks, and (iii) can be integrated into a variety of downstream applications or systems, and (B) does not include any artificial intelligence model that is used for development, prototyping and research activities before such artificial intelligence model is released on the market;

(9) "High-risk artificial intelligence system" (A) means any artificial intelligence system that, when deployed, makes, or is a substantial factor in making, a consequential decision, and (B) does not include (i) any artificial intelligence system that is intended to (I) perform any narrow procedural task, (II) improve the result of any activity previously completed by an individual, or (III) detect any decision-making pattern, or any deviation from any preexisting decision-making pattern, unless such artificial intelligence system is intended to influence or replace any assessment previously completed by an individual without proper human review, or (ii) any anti-malware, anti-virus, calculator, database, data storage, firewall, Internet domain registration, Internet-web-site loading, networking, robocall-filtering, spam-filtering, spellchecking, spreadsheet, web-caching, web-hosting or similar technology unless such technology, when deployed, makes, or is a substantial factor in making, a consequential decision;

(10) "Intentional and substantial modification" (A) means any deliberate change made to (i) an artificial intelligence system that results in any new reasonably foreseeable risk of algorithmic discrimination, or (ii) a general-purpose artificial intelligence model that (I) affects compliance of the general-purpose artificial intelligence model, (II) materially changes the purpose of the general-purpose artificial intelligence model, or (III) results in any new reasonably foreseeable risk of algorithmic discrimination, and (B) does not include any change made to a high-risk artificial intelligence system, or the performance of a high-risk artificial intelligence system, if (i) the high-risk artificial intelligence system continues to learn after such high-risk artificial

intelligence system is (I) offered, sold, leased, licensed, given or otherwise made available to a deployer, or (II) deployed, and (ii) such change (I) is made to such high-risk artificial intelligence system as a result of any learning described in subparagraph (B)(i) of this subdivision, (II) was predetermined by the deployer, or the third party contracted by the deployer, when such deployer or third party completed the initial impact assessment for such high-risk artificial intelligence system pursuant to subsection (c) of section 3 of this act, and (III) is included in the technical documentation for such high-risk artificial intelligence system;

(11) "Person" means any individual, association, corporation, limited liability company, partnership, trust or other legal entity;

(12) "Substantial factor" means a factor that assists in making, and is capable of altering the outcome of, a consequential decision; and

(13) "Synthetic digital content" means any digital content, including, but not limited to, any audio, image, text or video, that is produced or manipulated by an artificial intelligence system, including, but not limited to, a general-purpose artificial intelligence model.

Sec. 2. (NEW) (*Effective October 1, 2024*) (a) Beginning on October 1, 2025, each developer of a high-risk artificial intelligence system shall use reasonable care to protect consumers from any known or reasonably foreseeable risks of algorithmic discrimination. In any enforcement action brought on or after said date by the Attorney General pursuant to section 8 of this act, there shall be a rebuttable presumption that a developer used reasonable care as required under this subsection if the developer complied with the provisions of this section.

(b) Beginning on October 1, 2025, and except as provided in subsection (f) of this section, the developer of a high-risk artificial intelligence system shall make available to each deployer of such high-risk artificial intelligence system:

(1) A general statement describing the intended uses of such high-

risk artificial intelligence system;

(2) Documentation disclosing (A) the known or reasonably foreseeable limitations of such high-risk artificial intelligence system, including, but not limited to, the known or reasonably foreseeable risks of algorithmic discrimination arising from the intended uses of such high-risk artificial intelligence system, (B) the purpose of such high-risk artificial intelligence system, (C) the intended benefits and uses of such high-risk artificial intelligence system, and (D) relevant information concerning mitigation of algorithmic discrimination and explainability;

(3) Documentation describing (A) the type of data used to train such high-risk artificial intelligence system, (B) how such high-risk artificial intelligence system was evaluated for performance before such high-risk artificial intelligence system was offered, sold, leased, licensed, given or otherwise made available to a deployer, (C) the data governance measures used to cover the training datasets and the measures used to examine (i) the suitability of data sources, and (ii) possible biases and appropriate mitigation, (D) the intended outputs of such high-risk artificial intelligence system, (E) the measures the developer has taken to mitigate any known or reasonably foreseeable risks of algorithmic discrimination that may arise from deployment of such high-risk artificial intelligence system, and (F) how such high-risk artificial intelligence system should be used or monitored by an individual when such high-risk artificial intelligence system is used to make, or as a substantial factor in making, a consequential decision; and

(4) Documentation that is reasonably necessary to assist a deployer to (A) understand the outputs of such high-risk artificial intelligence system, and (B) monitor the performance of such high-risk artificial intelligence system for any risk of algorithmic discrimination.

(c) Except as provided in subsection (f) of this section, any developer that, on or after October 1, 2025, offers, sells, leases, licenses, gives or otherwise makes available to a deployer a high-risk artificial intelligence system shall provide to the deployer, to the extent feasible, the

documentation and information necessary for the deployer, or a third party contracted by the deployer, to complete an impact assessment pursuant to subsection (c) of section 3 of this act. The developer shall provide such documentation and information to the deployer through artifacts such as model cards, dataset cards or other impact assessments, and such documentation and information shall enable the deployer, or a third party contracted by the deployer, to complete an impact assessment pursuant to subsection (c) of section 3 of this act.

(d) (1) Beginning on October 1, 2025, each developer shall make available, in a manner that is clear and readily available for public inspection on such developer's Internet web site or in a public use case inventory, a statement summarizing:

(A) The types of high-risk artificial intelligence systems that such developer (i) has developed or intentionally and substantially modified, and (ii) currently makes available to deployers; and

(B) How such developer manages known or reasonably foreseeable risks of algorithmic discrimination arising from development or intentional and substantial modification of the types of high-risk artificial intelligence systems described in subparagraph (A) of this subdivision.

(2) Each developer shall update the statement described in subdivision (1) of this subsection (A) as necessary to ensure that such statement remains accurate, and (B) not later than ninety days after the developer intentionally and substantially modifies any high-risk artificial intelligence system described in subparagraph (A) of subdivision (1) of this subsection.

(e) Beginning on October 1, 2025, the developer of a high-risk artificial intelligence system shall disclose to the Attorney General and all known deployers of the high-risk artificial intelligence system any known risk of algorithmic discrimination arising from the intended uses of such high-risk artificial intelligence system without unreasonable delay but in no event later than ninety days after the date on which such

developer:

(1) Discovers through such developer's ongoing testing and analysis that such high-risk artificial intelligence system has been deployed and caused algorithmic discrimination; or

(2) Receives from a deployer a credible report that such high-risk artificial intelligence system has been deployed and caused algorithmic discrimination.

(f) Nothing in subsections (b) to (e), inclusive, of this section shall be construed to require a developer to disclose any trade secret, as defined in section 35-51 of the general statutes, or other confidential or proprietary information.

(g) Beginning on October 1, 2025, the Attorney General may require, including, but not limited to, by way of a written demand made by the Attorney General, that a developer disclose to the Attorney General, in a form and manner prescribed by the Attorney General, any statement or documentation described in subsection (b) of this section if such statement or documentation is relevant to an investigation conducted by the Attorney General. The Attorney General may evaluate such statement or documentation to ensure compliance with the provisions of this section. To the extent any such statement or documentation includes any proprietary information or any trade secret that is exempt from disclosure under the Freedom of Information Act, as defined in section 1-200 of the general statutes, such statement or documentation shall be exempt from disclosure under said act. In making any disclosure pursuant to this subsection, a developer may designate any such statement or documentation as including any such proprietary information or trade secret. To the extent any information contained in any such statement or documentation includes any information subject to the attorney-client privilege or work product protection, such disclosure shall not constitute a waiver of such privilege or protection.

Sec. 3. (NEW) (*Effective October 1, 2024*) (a) Beginning on October 1, 2025, each deployer of a high-risk artificial intelligence system shall use

reasonable care to protect consumers from any known or reasonably foreseeable risks of algorithmic discrimination. In any enforcement action brought on or after said date by the Attorney General pursuant to section 8 of this act, there shall be a rebuttable presumption that a deployer of a high-risk artificial intelligence system used reasonable care as required under this subsection if the deployer complied with the provisions of this section.

(b) (1) Beginning on October 1, 2025, each deployer of a high-risk artificial intelligence system shall implement and maintain a risk management policy and program to govern such deployer's deployment of a high-risk artificial intelligence system. The risk management policy and program shall specify and incorporate the principles, processes and personnel that the deployer shall use to identify, document and mitigate any known or reasonably foreseeable risks of algorithmic discrimination, and the risk management program shall be an iterative process that is planned, implemented and regularly and systematically reviewed and updated over the lifecycle of the high-risk artificial intelligence system. Each risk management policy and program implemented and maintained pursuant to this subsection shall be reasonable, considering:

(A) The guidance and standards set forth in the latest version of the "Artificial Intelligence Risk Management Framework" published by the National Institute of Standards and Technology, ISO/IEC 42001, or another nationally or internationally recognized risk management framework for artificial intelligence systems;

(B) The size and complexity of the deployer;

(C) The nature and scope of the high-risk artificial intelligence systems deployed by the deployer, including, but not limited to, the intended uses of such high-risk artificial intelligence systems; and

(D) The sensitivity and volume of data processed in connection with the high-risk artificial intelligence systems deployed by the deployer.

(2) A risk management policy and program implemented and maintained pursuant to subdivision (1) of this subsection may cover multiple high-risk artificial intelligence systems deployed by the deployer.

(c) (1) Except as provided in subdivisions (3) and (4) of this subsection:

(A) A deployer that deploys a high-risk artificial intelligence system on or after October 1, 2025, or a third party contracted by the deployer, shall complete an impact assessment for the high-risk artificial intelligence system; and

(B) (i) Not later than October 1, 2025, and at least annually thereafter, a deployer, or a third party contracted by the deployer, shall complete an impact assessment for a deployed high-risk artificial intelligence system; and

(ii) Beginning on October 1, 2025, a deployer, or a third party contracted by the deployer, shall complete an impact assessment for a deployed high-risk artificial intelligence system not later than ninety days after any intentional and substantial modification to such high-risk artificial intelligence system is made available.

(2) (A) Each impact assessment completed pursuant to this subsection shall include, at a minimum:

(i) A statement by the deployer disclosing the purpose, intended use cases and deployment context of, and benefits afforded by, the high-risk artificial intelligence system;

(ii) An analysis of whether the deployment of the high-risk artificial intelligence system poses any known or reasonably foreseeable risks of algorithmic discrimination and, if so, the nature of such algorithmic discrimination and the steps that have been taken to mitigate such risks;

(iii) A description of (I) the categories of data the high-risk artificial intelligence system processes as inputs, and (II) the outputs such high-

risk artificial intelligence system produces;

(iv) If the deployer used data to customize the high-risk artificial intelligence system, an overview of the categories of data the deployer used to customize such high-risk artificial intelligence system;

(v) Any metrics used to evaluate the performance and known limitations of the high-risk artificial intelligence system;

(vi) A description of any transparency measures taken concerning the high-risk artificial intelligence system, including, but not limited to, any measures taken to disclose to a consumer that such high-risk artificial intelligence system is in use when such high-risk artificial intelligence system is in use; and

(vii) A description of the post-deployment monitoring and user safeguards provided concerning such high-risk artificial intelligence system, including, but not limited to, the oversight process established by the deployer to address issues arising from deployment of such high-risk artificial intelligence system.

(B) In addition to the statement, analysis, descriptions, overview and metrics required under subparagraph (A) of this subdivision, each impact assessment completed pursuant to this subsection following an intentional and substantial modification made to a high-risk artificial intelligence system on or after October 1, 2025, shall include a statement disclosing the extent to which the high-risk artificial intelligence system was used in a manner that was consistent with, or varied from, the developer's intended uses of such high-risk artificial intelligence system.

(3) A single impact assessment may address a comparable set of high-risk artificial intelligence systems deployed by a deployer.

(4) If a deployer, or a third party contracted by the deployer, completes an impact assessment for the purpose of complying with another applicable law or regulation, such impact assessment shall be

deemed to satisfy the requirements established in this subsection if such impact assessment is reasonably similar in scope and effect to the impact assessment that would otherwise be completed pursuant to this subsection.

(5) A deployer shall maintain the most recently completed impact assessment for a high-risk artificial intelligence system as required under this subsection, all records concerning each such impact assessment and all prior impact assessments, if any, for a period of at least three years following the final deployment of the high-risk artificial intelligence system.

(d) Beginning on October 1, 2025, a deployer, or a third party contracted by the deployer, shall review, at least annually, the deployment of each high-risk artificial intelligence system deployed by the deployer to ensure that such high-risk artificial intelligence system is not causing algorithmic discrimination.

(e) (1) Beginning on October 1, 2025, and not later than the time that a deployer deploys a high-risk artificial intelligence system to make, or be a substantial factor in making, a consequential decision concerning a consumer, the deployer shall:

(A) Notify the consumer that the deployer has deployed a high-risk artificial intelligence system to make, or be a substantial factor in making, such consequential decision;

(B) Provide to the consumer an opportunity (i) to appeal any adverse consequential decision arising from such deployment, which appeal shall, if technically feasible, allow for human review, and (ii) if the deployer is a controller, as defined in section 42-515 of the general statutes, to submit to the deployer a notice indicating that the consumer is exercising such consumer's right, under subparagraph (C) of subdivision (5) of subsection (a) of section 42-518 of the general statutes, to opt-out of the processing of such consumer's personal data for purposes of profiling in furtherance of solely automated decisions that produce legal or similarly significant effects concerning such consumer,

and such deployer shall respond to such request without imposing any cost on such consumer, without undue delay and in no event later than forty-five days after such deployer receives such request and, if such deployer cannot feasibly comply with such request due to any technical limitation, such deployer shall notify such consumer that such deployer cannot feasibly comply with such request and disclose such technical limitation to such consumer; and

(C) Provide to the consumer (i) a statement disclosing (I) the purpose of such high-risk artificial intelligence system, (II) the nature of such consequential decision, and (III) if such deployer is a controller, as defined in section 42-515 of the general statutes, the consumer's right, under subparagraph (C) of subdivision (5) of subsection (a) of section 42-518 of the general statutes, to opt-out of the processing of the consumer's personal data for purposes of profiling in furtherance of solely automated decisions that produce legal or similarly significant effects concerning the consumer, (ii) contact information for such deployer, and (iii) a description, in plain language, of such high-risk artificial intelligence system, which description shall, at a minimum, include a description of (I) the personal attributes or characteristics that such high-risk artificial intelligence system shall assess or measure, the method by which such high-risk artificial intelligence system shall assess or measure such attributes or characteristics and why such attributes or characteristics are relevant to such consequential decision, (II) the outputs of such high-risk artificial intelligence system, (III) the logic used by such high-risk artificial intelligence system, including, but not limited to, the key parameters that affect the outputs of such high-risk artificial intelligence system, (IV) the sources of data used by such high-risk artificial intelligence system, (V) the sources and types of data collected from consumers and processed by such high-risk artificial intelligence system when such high-risk artificial intelligence system is used to make, or as a substantial factor in making, a consequential decision, (VI) the results of the impact assessment most recently completed for such high-risk artificial intelligence system pursuant to subsection (c) of this section or an active link to an Internet web site

where the consumer may review such results, (VII) any human components of such high-risk artificial intelligence system, and (VIII) how the automated components of such high-risk artificial intelligence system are used to inform such consequential decision.

(2) (A) Except as provided in subparagraph (B) of this subdivision, the deployer shall provide the notice, statement, contact information and description required under subdivision (1) of this subsection:

(i) Directly to the consumer;

(ii) In plain language;

(iii) In all languages in which such deployer, in the ordinary course of such deployer's business, provides contracts, disclaimers, sale announcements and other information to consumers; and

(iv) In a format that is accessible to consumers with disabilities.

(B) If the deployer is unable to provide the notice, statement, contact information and description required under subdivision (1) of this subsection directly to the consumer, such deployer shall make such notice, statement, contact information and description available in a manner that is reasonably calculated to ensure that such consumer receives such notice, statement, contact information and description.

(f) (1) Beginning on October 1, 2025, each deployer shall make available, in a manner that is clear and readily available for public inspection, a statement summarizing:

(A) The types of high-risk artificial intelligence systems that are currently deployed by such deployer;

(B) How such deployer manages any known or reasonably foreseeable risks of algorithmic discrimination that may arise from deployment of each high-risk artificial intelligence system described in subparagraph (A) of this subdivision; and

(C) In detail, the nature, source and extent of information collected and used by such deployer.

(2) Each deployer shall periodically update the statement described in subdivision (1) of this subsection.

(g) If a deployer deploys a high-risk artificial intelligence system on or after October 1, 2025, and subsequently discovers that the high-risk artificial intelligence system has caused algorithmic discrimination against any consumer, the deployer shall, without unreasonable delay but in no event later than ninety days after the date of such discovery, send to the Attorney General, in a form and manner prescribed by the Attorney General, a notice disclosing such discovery.

(h) Nothing in subsections (b) to (g), inclusive, of this section shall be construed to require a deployer to disclose any trade secret, as defined in section 35-51 of the general statutes, or other confidential or proprietary information.

(i) Beginning on October 1, 2025, the Attorney General may require, including, but not limited to, by way of a written demand made by the Attorney General, that a deployer, or the third party contracted by the deployer as set forth in subsection (c) of this section, as applicable, disclose to the Attorney General, in a form and manner prescribed by the Attorney General, any risk management policy implemented pursuant to subsection (b) of this section, impact assessment completed pursuant to subsection (c) of this section or record maintained pursuant to subdivision (5) of subsection (c) of this section if such risk management policy, impact assessment or record is relevant to an investigation conducted by the Attorney General. The Attorney General may evaluate such risk management policy, impact assessment or record to ensure compliance with the provisions of this section. To the extent any such risk management policy, impact assessment or record includes any proprietary information or any trade secret that is exempt from disclosure under the Freedom of Information Act, as defined in section 1-200 of the general statutes, such risk management policy,

impact assessment or record shall be exempt from disclosure under said act. In making any disclosure pursuant to this subsection, a deployer, or the third party contracted by the deployer as set forth in subsection (c) of this section, as applicable, may designate any such risk management policy, impact assessment or record as including any such proprietary information or trade secret. To the extent any information contained in any such risk management policy, impact assessment or record includes any information subject to the attorney-client privilege or work product protection, such disclosure shall not constitute a waiver of such privilege or protection.

Sec. 4. (NEW) (*Effective October 1, 2024*) (a) Beginning on January 1, 2026, each developer of a general-purpose artificial intelligence model shall:

(1) Except as provided in subsection (b) of this section, create and maintain technical documentation for the general-purpose artificial intelligence model, which technical documentation shall:

(A) Include (i) the training and testing processes for such general-purpose artificial intelligence model, and (ii) the results of an evaluation of such general-purpose artificial intelligence model to determine whether such general-purpose artificial intelligence model is in compliance with the provisions of sections 1 to 8, inclusive, of this act;

(B) Include at least the following information, as appropriate, considering the size and risk profile of such general-purpose artificial intelligence model: (i) The tasks such general-purpose artificial intelligence model is intended to perform; (ii) the type and nature of artificial intelligence systems in which such general-purpose artificial intelligence model is intended to be integrated; (iii) acceptable use policies for such general-purpose artificial intelligence model; (iv) the date such general-purpose artificial intelligence model is released; (v) the methods by which such general-purpose artificial intelligence model is distributed; (vi) the modality and format of inputs and outputs for such general-purpose artificial intelligence model; and (vii) a

description of the data that were used for purposes of training, testing and validation, where applicable, including, but not limited to, (I) the type and provenance of such data, (II) data curation methodologies, (III) how such data were obtained and selected, (IV) all other measures used to identify unsuitable data sources, and (V) methods used to detect identifiable biases, where applicable; and

(C) Be reviewed and revised at least annually or more frequently as necessary to maintain the accuracy of such technical documentation;

(2) Create, maintain and make available to persons that intend to integrate such general-purpose artificial intelligence model into such persons' artificial intelligence systems documentation and information that:

(A) Enables such persons to (i) understand the capabilities and limitations of such general-purpose artificial intelligence model, and (ii) comply with such persons' obligations under sections 1 to 8, inclusive, of this act;

(B) Discloses, at a minimum, a description of (i) the technical means required for such general-purpose artificial intelligence model to be integrated into such persons' artificial intelligence systems, and (ii) the information listed in subparagraph (B) of subdivision (1) of this subsection; and

(C) Except as provided in subsection (b) of this section, is reviewed and revised at least annually or more frequently as necessary to maintain the accuracy of such documentation and information;

(3) Except as provided in subsection (b) of this section, establish, implement and maintain a policy to comply with federal and state copyright laws; and

(4) Except as provided in subsection (b) of this section, create, maintain and make publicly available, in a form and manner prescribed by the Attorney General, a detailed summary concerning the content

used to train such general-purpose artificial intelligence model.

(b) (1) The provisions of subdivision (1) of subsection (a) of this section, subparagraph (C) of subdivision (2) of subsection (a) of this section and subdivisions (3) and (4) of subsection (a) of this section shall not apply to a developer that develops, or intentionally and substantially modifies, a general-purpose artificial intelligence model on or after January 1, 2026, if:

(A) The developer releases such general-purpose artificial intelligence model under a free and open-source license that allows for (i) access to, and modification, distribution and usage of, such general-purpose artificial intelligence model, and (ii) the parameters of such general-purpose artificial intelligence model to be made available as set forth in subparagraph (B) of this subdivision; and

(B) Unless such general-purpose artificial intelligence model is deployed as a high-risk artificial intelligence system, the parameters of such general-purpose artificial intelligence model, including, but not limited to, the weights and information concerning the model architecture and model usage for such general-purpose artificial intelligence model, are made publicly available.

(2) A developer that takes any action under the exemption established in subdivision (1) of this subsection shall bear the burden of demonstrating that such action qualifies for such exemption.

(c) Nothing in subsection (a) of this section shall be construed to require a developer to disclose any trade secret, as defined in section 35-51 of the general statutes, or other confidential or proprietary information.

(d) Beginning on January 1, 2026, the Attorney General may require, including, but not limited to, by way of a written demand made by the Attorney General, that a developer disclose to the Attorney General, in a form and manner prescribed by the Attorney General, any documentation maintained pursuant to this section if such

documentation is relevant to an investigation conducted by the Attorney General. The Attorney General may evaluate such documentation to ensure compliance with the provisions of this section. To the extent any such documentation includes any proprietary information or any trade secret that is exempt from disclosure under the Freedom of Information Act, as defined in section 1-200 of the general statutes, such documentation shall be exempt from disclosure under said act. In making any disclosure pursuant to this subsection, a developer may designate any such documentation as including any such proprietary information or trade secret. To the extent any such documentation includes any information subject to the attorney-client privilege or work product protection, such disclosure shall not constitute a waiver of such privilege or protection.

Sec. 5. (NEW) (*Effective October 1, 2024*) (a) Beginning on October 1, 2025, and except as provided in subsection (b) of this section, each person doing business in this state, including, but not limited to, each deployer that deploys, offers, sells, leases, licenses, gives or otherwise makes available, as applicable, any high-risk artificial intelligence system that is intended to interact with consumers shall ensure that it is disclosed to each consumer who interacts with such high-risk artificial intelligence system that such consumer is interacting with a high-risk artificial intelligence system.

(b) No disclosure shall be required under subsection (a) of this section under circumstances in which a reasonable person would deem it obvious that such person is interacting with a high-risk artificial intelligence system.

Sec. 6. (NEW) (*Effective October 1, 2024*) (a) Beginning on January 1, 2026, and except as provided in subsections (b) and (c) of this section, the developer of an artificial intelligence system, including, but not limited to, a general-purpose artificial intelligence model, that generates or manipulates synthetic digital content shall:

(1) Ensure that the outputs of such artificial intelligence system are

marked and detectable as synthetic digital content, and that such outputs are so marked and detectable (A) not later than the time that consumers who did not create such outputs first interact with, or are exposed to, such outputs, and (B) in a manner that (i) is detectable by consumers, and (ii) complies with any applicable accessibility requirements; and

(2) As far as technically feasible and in a manner that is consistent with any nationally or internationally recognized technical standards, ensure that such developer's technical solutions are effective, interoperable, robust and reliable, taking into account (A) the specificities and limitations of different types of synthetic digital content, (B) the implementation costs, and (C) the generally acknowledged state of the art.

(b) If the synthetic digital content described in subsection (a) of this section is in an audio, image or video format, and such synthetic digital content forms part of an evidently artistic, creative, satirical, fictional analogous work or program, the disclosure required under said subsection shall be limited to a disclosure that does not hinder the display or enjoyment of such work or program.

(c) The provisions of subsection (a) of this section shall not apply to:

(1) Any synthetic digital content that (A) consists exclusively of text, (B) is published to inform the public on any matter of public interest, (C) has undergone a process of human review or editorial control, (D) is unlikely to mislead a reasonable person consuming such synthetic digital content, or (E) is subject to control by a person who holds editorial responsibility for the publication of such synthetic digital content; or

(2) To the extent that any artificial intelligence system described in subsection (a) of this section (A) performs an assistive function for standard editing, (B) does not substantially alter the input data provided by the developer or the semantics thereof, or (C) is used to detect, prevent, investigate or prosecute any crime where authorized by law.

Sec. 7. (NEW) (*Effective October 1, 2024*) (a) Nothing in sections 1 to 8, inclusive, of this act shall be construed to restrict a developer's, deployer's or other person's ability to: (1) Comply with federal, state or municipal law; (2) comply with a civil, criminal or regulatory inquiry, investigation, subpoena or summons by federal, state, municipal or other governmental authorities; (3) cooperate with law enforcement agencies concerning conduct or activity that the developer, deployer or other person reasonably and in good faith believes may violate federal, state or municipal law; (4) investigate, establish, exercise, prepare for or defend legal claims; (5) take immediate steps to protect an interest that is essential for the life or physical safety of a consumer or another individual; (6) by any means other than facial recognition technology, prevent, detect, protect against or respond to security incidents, identity theft, fraud, harassment, malicious or deceptive activities or any illegal activity, preserve the integrity or security of systems or investigate, report or prosecute those responsible for any such action; (7) engage in public or peer-reviewed scientific or statistical research in the public interest that (A) adheres to all other applicable ethics and privacy laws, and (B) is conducted in accordance with (i) 45 CFR Part 46, as amended from time to time, or (ii) relevant requirements established by the federal Food and Drug Administration; (8) conduct any research, testing and development activities regarding any artificial intelligence system or model, other than testing conducted under real world conditions, before such artificial intelligence system or model is placed on the market, deployed or put into service, as applicable; (9) effectuate a product recall; (10) identify and repair technical errors that impair existing or intended functionality; or (11) assist another developer, deployer or person with any of the obligations imposed under sections 1 to 8, inclusive, of this act.

(b) Nothing in sections 1 to 8, inclusive, of this act shall be construed to impose any obligation on a developer, deployer or other person that adversely affects the rights or freedoms of any person, including, but not limited to, the rights of any person: (1) To freedom of speech or freedom of the press guaranteed in the First Amendment to the United

States Constitution; or (2) under section 52-146t of the general statutes.

(c) Nothing in sections 1 to 8, inclusive, of this act shall be construed to apply to any developer, deployer or other person: (1) Insofar as such developer, deployer or other person develops, deploys, puts into service or intentionally and substantially modifies, as applicable, a high-risk artificial intelligence system or general-purpose artificial intelligence model (A) that has been approved, authorized or cleared by (i) the federal Food and Drug Administration, or (ii) the federal Office of the National Coordinator for Health Information Technology, and (B) for which such developer, deployer or other person, as applicable, has established and maintains a governance policy; or (2) conducting any research required to support an application for approval from the federal Food and Drug Administration.

(d) Any insurer, as defined in section 38a-1 of the general statutes, or fraternal benefit society, within the meaning of section 38a-595 of the general statutes, shall be deemed to be in full compliance with the provisions of sections 1 to 8, inclusive, of this act if such insurer or fraternal benefit society has implemented and maintains a written artificial intelligence systems program in accordance with all requirements established by the Insurance Commissioner.

(e) If a developer, deployer or other person engages in any action pursuant to an exemption set forth in subsections (a) to (d), inclusive, of this section, the developer, deployer or other person bears the burden of demonstrating that such action qualifies for such exemption.

Sec. 8. (NEW) (*Effective October 1, 2024*) (a) The Attorney General shall have exclusive authority to enforce the provisions of sections 1 to 7, inclusive, of this act.

(b) Except as provided in subsection (f) of this section, during the period beginning on October 1, 2025, and ending on June 30, 2026, the Attorney General shall, prior to initiating any action for a violation of any provision of sections 1 to 7, inclusive, of this act, issue a notice of violation to the developer, deployer or other person if the Attorney

General determines that it is possible to cure such violation. If the developer, deployer or other person fails to cure such violation not later than sixty days after receipt of the notice of violation, the Attorney General may bring an action pursuant to this section.

(c) Except as provided in subsection (f) of this section, beginning on July 1, 2026, the Attorney General may, in determining whether to grant a developer, deployer or other person the opportunity to cure a violation described in subsection (b) of this section, consider: (1) The number of violations; (2) the size and complexity of the developer, deployer or other person; (3) the nature and extent of the developer's, deployer's or other person's business; (4) the substantial likelihood of injury to the public; (5) the safety of persons or property; and (6) whether such violation was likely caused by human or technical error.

(d) Nothing in sections 1 to 7, inclusive, of this act shall be construed as providing the basis for a private right of action for violations of said sections.

(e) Except as provided in subsections (a) and (f) of this section, a violation of the requirements established in sections 1 to 7, inclusive, of this act shall constitute an unfair trade practice for purposes of section 42-110b of the general statutes and shall be enforced solely by the Attorney General, provided the provisions of section 42-110g of the general statutes shall not apply to such violation.

(f) (1) In any action commenced by the Attorney General for any violation of sections 1 to 7, inclusive, of this act, it shall be an affirmative defense that:

(A) The developer, deployer or other person established and maintains a written artificial intelligence systems program that is in compliance with any requirements established by the Insurance Commissioner if the developer, deployer or other person is an insurer, as defined in section 38a-1 of the general statutes, or a fraternal benefit society, within the meaning of section 38a-595 of the general statutes, regulated by the Insurance Department; or

(B) The developer, deployer or other person:

(i) Discovers a violation of any provision of sections 1 to 7, inclusive, of this act through: (I) Feedback that the developer, deployer or other person encourages deployers or users to provide to such developer, deployer or other person; (II) adversarial testing or red-teaming, as such terms are defined or used by the National Institutes of Standards and Technology; or (III) an internal review process;

(ii) Not later than sixty days after discovering the violation as set forth in subparagraph (B)(i) of this subdivision: (I) Cures such violation; and (II) provides to the Attorney General, in a form and manner prescribed by the Attorney General, notice that such violation has been cured and evidence that any harm caused by such violation has been mitigated; and

(iii) Is otherwise in compliance with the latest version of the "Artificial Intelligence Risk Management Framework" published by the National Institute of Standards and Technology, ISO/IEC 42001, or another nationally or internationally recognized risk management framework for artificial intelligence systems.

(2) The developer, deployer or other person bears the burden of demonstrating to the Attorney General that the requirements established in subdivision (1) of this subsection have been satisfied.

(3) The Attorney General shall not initiate any action to enforce the provisions of sections 1 to 7, inclusive, of this act unless the Attorney General has consulted with the executive director of the Commission on Human Rights and Opportunities to determine whether any complaint has been filed with said commission pursuant to section 46a-82 of the general statutes that is founded on the same act or omission that constitutes the violation of sections 1 to 7, inclusive, of this act. The Attorney General shall not initiate any action to enforce the provisions of sections 1 to 7, inclusive, of this act unless such complaint has been finally adjudicated or resolved.

(4) Nothing in this section shall be construed to preempt or restrict application of the provisions of chapter 814c of the general statutes or any other state or federal law. The Attorney General shall post on the Attorney General's Internet web site information on how to properly file a complaint with the Commission on Human Rights and Opportunities.

Sec. 9. (NEW) (*Effective from passage*) (a) For the purposes of this section, "artificial intelligence" means a machine-based system that (1) can, for a given set of human-defined objectives, make predictions, recommendations or decisions influencing real or virtual environments, and (2) uses machine and human-based inputs to (A) perceive real and virtual environments, (B) abstract such perceptions into models through analysis in an automated manner, and (C) formulate options for information or action through model inference.

(b) There is established an Artificial Intelligence Advisory Council to engage stakeholders and experts to: (1) Study the laws and regulations of other states concerning artificial intelligence to ensure that the definitions included in, and requirements imposed by, the laws and regulations of this state concerning artificial intelligence are consistent with the laws and regulations of such other states; (2) maintain an ongoing dialogue between academia, government and industry concerning artificial intelligence; (3) make recommendations concerning the adoption of legislation to ensure that this state is a leader in artificial intelligence innovation; and (4) advise the Department of Economic and Community Development for the purpose of attracting and promoting the growth of technology businesses in this state.

(c) (1) (A) The advisory council shall be part of the Legislative Department and consist of the following voting members: (i) One appointed by the speaker of the House of Representatives, who shall be a representative of the industries that are developing artificial intelligence; (ii) two appointed by the president pro tempore of the Senate, one of whom shall be a representative of a labor union representing public employees in this state and one of whom shall be a representative of the industries that are using artificial intelligence; (iii)

one appointed by the majority leader of the House of Representatives, who shall be an academic with a concentration in the study of technology and technology policy; (iv) one appointed by the majority leader of the Senate, who shall be an academic with a concentration in the study of government and public policy; (v) one appointed by the minority leader of the House of Representatives, who shall be a representative of an industry association representing the industries that are developing artificial intelligence; (vi) one appointed by the minority leader of the Senate, who shall be a representative of an industry association representing the industries that are using artificial intelligence; (vii) one appointed by the House chairperson of the joint standing committee of the General Assembly having cognizance of matters relating to consumer protection; (viii) one appointed by the Senate chairperson of the joint standing committee of the General Assembly having cognizance of matters relating to consumer protection; (ix) two appointed by the Governor, who shall be members of the Connecticut Academy of Science and Engineering; and (x) the House and Senate chairpersons of the joint standing committee of the General Assembly having cognizance of matters relating to consumer protection.

(B) All voting members appointed pursuant to subparagraphs (A)(i) to (A)(ix), inclusive, of this subdivision shall have professional experience or academic qualifications in matters pertaining to artificial intelligence, automated systems, government policy or another related field.

(C) All initial appointments to the advisory council under subparagraphs (A)(i) to (A)(ix), inclusive, of this subdivision shall be made not later than thirty days after the effective date of this section. Any vacancy shall be filled by the appointing authority.

(D) Any action taken by the advisory council shall be taken by a majority vote of all members present who are entitled to vote, provided no such action may be taken unless at least fifty per cent of such members are present.

(2) The advisory council shall include the following nonvoting, ex-officio members: (A) The Attorney General, or the Attorney General's designee; (B) the Comptroller, or the Comptroller's designee; (C) the Treasurer, or the Treasurer's designee; (D) the Commissioner of Administrative Services, or said commissioner's designee; (E) the Commissioner of Economic and Community Development, or said commissioner's designee; (F) the Chief Data Officer, or said officer's designee; (G) the executive director of the Freedom of Information Commission, or said executive director's designee; (H) the executive director of the Commission on Human Rights and Opportunities, or said executive director's designee; (I) the executive director of the Commission on Women, Children, Seniors, Equity and Opportunity, or said executive director's designee; (J) the Chief Court Administrator, or said administrator's designee; and (K) the executive director of the Connecticut Academy of Science and Engineering, or said executive director's designee.

(d) The Commissioner of Economic and Community Development, or said commissioner's designee, and the executive director of the Connecticut Academy of Science and Engineering, or said executive director's designee, shall serve as chairpersons of the advisory council. Such chairpersons shall schedule the first meeting of the advisory council, which shall be held not later than sixty days after the effective date of this section.

(e) Not later than January 1, 2025, and at least annually thereafter, the advisory council shall submit a report, in accordance with the provisions of section 11-4a of the general statutes, to the joint standing committee of the General Assembly having cognizance of matters relating to consumer protection and to the Commissioner of Economic and Community Development setting forth the advisory council's findings and recommendations.

(f) The administrative staff of the joint standing committee of the General Assembly having cognizance of matters relating to consumer protection shall serve as administrative staff of the advisory council.

Sec. 10. Section 53a-189c of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2024*):

(a) A person is guilty of unlawful dissemination of an intimate image when (1) such person intentionally disseminates by electronic or other means a photograph, film, videotape or other recorded image or synthetic image of (A) the genitals, pubic area or buttocks of another person with less than a fully opaque covering of such body part, or the breast of such other person who is female with less than a fully opaque covering of any portion of such breast below the top of the nipple, or (B) another person engaged in sexual intercourse, as defined in section 53a-193, (2) such person disseminates such image **[**without the consent of such other person,**]** knowing that such other person **[**understood that the image would not be so disseminated**]** did not consent to such dissemination, and (3) such other person suffers harm as a result of such dissemination.

(b) For purposes of this **[**subsection, "disseminate"**]** section:

(1) "Disseminate" means to sell, give, provide, lend, trade, mail, deliver, transfer, publish, distribute, circulate, present, exhibit, advertise or otherwise offer; **[**, and "harm"**]**

(2) "Harm" includes, but is not limited to, subjecting such other person to hatred, contempt, ridicule, physical injury, financial injury, psychological harm or serious emotional distress; and

(3) "Synthetic image" means any photograph, film, videotape or other image that (A) is not wholly recorded by a camera, (B) is either partially or wholly generated by a computer system, and (C) depicts, and is virtually indistinguishable from an actual representation of, an identifiable person.

[(b)**]** (c) The provisions of subsection (a) of this **[**subsection**]** section shall not apply to:

(1) Any image described in subsection (a) of this section of such other

person if such image resulted from voluntary exposure or engagement in sexual intercourse by such other person, in a public place, as defined in section 53a-181, or in a commercial setting;

(2) Any image described in subsection (a) of this section of such other person, if such other person is not clearly identifiable, unless other personally identifying information is associated with or accompanies the image; or

(3) Any image described in subsection (a) of this section of such other person, if the dissemination of such image serves the public interest.

[(c)**]** (d) Unlawful dissemination of an intimate image to (1) a person by any means is a class A misdemeanor, and (2) more than one person by means of an interactive computer service, as defined in 47 USC 230, an information service, as defined in 47 USC 153, or a telecommunications service, as defined in section 16-247a, is a class D felony.

[(d)**]** (e) Nothing in this section shall be construed to impose liability on the provider of an interactive computer service, as defined in 47 USC 230, an information service, as defined in 47 USC 153, or a telecommunications service, as defined in section 16-247a, for content provided by another person.

Sec. 11. Section 9-600 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2024*):

[This**]** Except as otherwise provided in section 12 of this act, this chapter applies to: (1) The election, and all primaries preliminary thereto, of all public officials, except presidential electors, United States senators and members in Congress, and (2) any referendum question. This chapter also applies, except for the provisions of sections 9-611 to 9-620, inclusive, to persons who are candidates in a primary for town committee members.

Sec. 12. (NEW) (*Effective July 1, 2024*) (a) As used in this section, unless

the context otherwise requires:

(1) "Artificial intelligence" has the same meaning as provided in section 9 of this act;

(2) "Candidate" means a human being who seeks election, or nomination for election, to any municipal, federal or state office;

(3) "Deceptive media" means an image, audio or video that (A) depicts a human being engaging in speech or conduct in which the human being did not engage, (B) a reasonable viewer or listener would incorrectly believe depicts such human being engaging in such speech or conduct, and (C) was produced, in whole or in part, by artificial intelligence;

(4) "Election" has the same meaning as provided in section 9-1 of the general statutes; and

(5) "Elector" has the same meaning as provided in section 9-1 of the general statutes.

(b) Except as provided in subsections (c) and (d) of this section, no person shall distribute, or enter into an agreement with another person to distribute, any deceptive media during the period commencing ninety days prior to the availability of overseas ballots for an election or any primary precedent thereto, as set forth in subsection (b) of section 9-158c of the general statutes, and ending on the day following the date of the election if:

(1) The person (A) knows such deceptive media depicts any human being engaging in speech or conduct in which such human being did not engage, and (B) in distributing such deceptive media or entering into such agreement, intends to deceive electors into incorrectly believing that the human being described in subparagraph (A) of this subdivision engaged in the speech or conduct described in said subparagraph; and

(2) It is reasonably foreseeable that the distribution will (A) harm the reputation or electoral prospects of a candidate in the primary or

election, or (B) deceive electors in the manner set forth in subparagraph (B) of subdivision (1) of this subsection.

(c) A person may distribute, or enter into an agreement with another person to distribute, deceptive media during the period set forth in subsection (b) of this section, provided:

(1) The deceptive media includes a disclaimer provided by the sponsor of such deceptive media informing viewers or listeners, as applicable, that the media has been manipulated by technical means and depicts speech or conduct that did not occur;

(2) If the deceptive media is a video, the deceptive media includes a disclaimer that (A) appears throughout the entirety of the video, (B) is clearly visible to, and readable by, the average viewer, (C) is in letters (i) at least as large as the majority of the other text included in the video, or (ii) if there is no other text included in the video, in a size that is easily readable by the average viewer, and (D) is in the same language otherwise used in such deceptive media;

(3) If the deceptive media exclusively consists of audio, the deceptive media includes a disclaimer that is read (A) at the beginning and end of the audio, (B) in a clearly spoken manner, (C) in a pitch that can be easily heard by the average listener, and (D) if the audio is longer than two minutes in duration, interspersed within the audio at intervals that are not longer than two minutes in duration;

(4) If the deceptive media is an image, the deceptive media includes a disclaimer that (A) is clearly visible to, and readable by, the average viewer, (B) if the media contains other text, is in letters (i) at least as large as the majority of the other text included in the image, or (ii) if there is no other text included in the image, in a size that is easily readable by the average viewer, and (C) is in the same language otherwise used in such deceptive media; and

(5) If the deceptive media was generated by editing an existing image, audio or video, the deceptive media includes a disclaimer that includes

a citation directing the viewer or listener to the original source from which the unedited version of such existing image, audio or video was obtained.

(d) The provisions of this section shall not apply to any deceptive media that constitutes parody or satire.

(e) (1) Any person who violates any provision of this section shall be guilty of a class C misdemeanor, except:

(A) Such person shall be guilty of a class A misdemeanor if such violation was committed:

(i) By, or on behalf of, (I) a candidate or committee, as those terms are defined in section 9-601 of the general statutes, or (II) a tax-exempt political organization organized under 26 USC 527, as amended from time to time; or

(ii) By directly expending more than five hundred dollars to distribute the deceptive media; and

(B) Any violation committed not later than five years after conviction for a prior violation shall be a class D felony.

(2) Any penalty imposed under subdivision (1) of this subsection shall be in addition to any injunctive or other equitable relief ordered under subsection (f) of this section.

(f) (1) The Attorney General, a human being described in subparagraph (A) of subdivision (1) of subsection (b) of this section or a candidate for office who has been, or is likely to be, injured by the distribution of deceptive media in violation of the provisions of this section, or an organization that represents the interests of electors who have been, or are likely to be, deceived by any such distribution, may commence a civil action, in a court of competent jurisdiction, seeking to permanently enjoin any person who is alleged to have committed such violation from continuing such violation.

(2) In any civil action commenced under subdivision (1) of this subsection, the plaintiff shall bear the burden of proving, by clear and convincing evidence, that the defendant distributed deceptive media in violation of the provisions of this section.

(3) Any party, other than the Attorney General, who prevails in a civil action commenced under subdivision (1) of this subsection shall be awarded reasonable attorney's fees and costs to be taxed by the court.

Sec. 13. (*Effective from passage*) (a) As used in this section:

(1) "Artificial intelligence" has the same meaning as provided in section 9 of this act;

(2) "Generative artificial intelligence" means any form of artificial intelligence, including, but not limited to, a foundation model, that is able to produce synthetic digital content;

(3) "Machine learning" means any technique that enables a computer system or service to autonomously learn and adapt by using algorithms and statistical models to autonomously analyze and draw inferences from patterns in data; and

(4) "State agency" means any department, board, council, commission, institution or other executive branch agency of state government, including, but not limited to, each constituent unit and each public institution of higher education.

(b) Each state agency shall, in consultation with the labor unions representing the employees of the state agency, study how generative artificial intelligence may be incorporated in its processes to improve efficiencies. Each state agency shall prepare for any such incorporation with input from the state agency's employees, including, but not limited to, any applicable collective bargaining unit that represents its employees, and appropriate experts from civil society organizations, academia and industry.

(c) Not later than January 1, 2025, each state agency shall submit the

results of such study to the Department of Administrative Services, including a request for approval of any potential pilot project utilizing generative artificial intelligence that the state agency intends to establish, provided such use is in accordance with the policies and procedures established by the Office of Policy and Management pursuant to subsection (b) of section 4-68jj of the general statutes. Any such pilot project shall measure how generative artificial intelligence (1) improves Connecticut residents' experience with and access to government services, and (2) supports state agency employees in the performance of their duties in addition to any domain-specific impacts to be measured by the state agency. The Commissioner of Administrative Services shall assess any such proposed pilot project in accordance with the provisions of section 4a-2e of the general statutes, as amended by this act, and may disapprove any pilot project that fails such assessment or requires additional legislative authorization.

(d) Not later than February 1, 2025, the Commissioner of Administrative Services shall submit a report, in accordance with the provisions of section 11-4a of the general statutes, to the joint standing committees of the General Assembly having cognizance of matters relating to consumer protection and government administration. Such report shall include a summary of all pilot projects approved by the commissioner under this section and any recommendations for legislation necessary to implement additional pilot projects.

Sec. 14. Section 4a-2e of the 2024 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2024*):

(a) For the purposes of this section:

(1) "Artificial intelligence" **[**means (A) an artificial system that (i) performs tasks under varying and unpredictable circumstances without significant human oversight or can learn from experience and improve such performance when exposed to data sets, (ii) is developed in any context, including, but not limited to, software or physical hardware,

and solves tasks requiring human-like perception, cognition, planning, learning, communication or physical action, or (iii) is designed to (I) think or act like a human, including, but not limited to, a cognitive architecture or neural network, or (II) act rationally, including, but not limited to, an intelligent software agent or embodied robot that achieves goals using perception, planning, reasoning, learning, communication, decision-making or action, or (B) a set of techniques, including, but not limited to, machine learning, that is designed to approximate a cognitive task; and**]** has the same meaning as provided in section 9 of this act;

(2) "Generative artificial intelligence" means any form of artificial intelligence, including, but not limited to, a foundation model, that is able to produce synthetic digital content; and

[(2)**]** (3) "State agency" has the same meaning as provided in section 4d-1.

(b) (1) Not later than December 31, 2023, and annually thereafter, the **[**Department**]** Commissioner of Administrative Services shall conduct an inventory of all systems that employ artificial intelligence and are in use by any state agency. Each such inventory shall include at least the following information for each such system:

(A) The name of such system and the vendor, if any, that provided such system;

(B) A description of the general capabilities and uses of such system;

(C) Whether such system was used to independently make, inform or materially support a conclusion, decision or judgment; and

(D) Whether such system underwent an impact assessment prior to implementation.

(2) The **[**Department**]** Commissioner of Administrative Services shall make each inventory conducted pursuant to subdivision (1) of this subsection publicly available on the state's open data portal.

(c) Beginning on February 1, 2024, the **[**Department**]** Commissioner of Administrative Services shall perform ongoing assessments of systems that employ artificial intelligence and are in use by state agencies to ensure that no such system shall result in any unlawful discrimination or disparate impact described in subparagraph (B) of subdivision (1) of subsection (b) of section 4-68jj. The **[**department**]** commissioner shall perform such assessment in accordance with the policies and procedures established by the Office of Policy and Management pursuant to subsection (b) of section 4-68jj.

(d) The Commissioner of Administrative Services shall, in consultation with other state agencies, collective bargaining units that represent state agency employees and industry experts, develop trainings for state agency employees on (1) the use of generative artificial intelligence tools that are determined by the commissioner, pursuant to the assessment performed under subsection (c) of this section, to achieve equitable outcomes, and (2) methods for identifying and mitigating potential output inaccuracies, fabricated text, hallucinations and biases of generative artificial intelligence while respecting the privacy of the public and complying with all applicable state laws and policies. Beginning on July 1, 2025, the commissioner shall make such trainings available to state agency employees not less frequently than annually.

Sec. 15. Subsection (b) of section 4-124w of the 2024 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2024*):

(b) The department head of the Office of Workforce Strategy shall be the Chief Workforce Officer, who shall be appointed by the Governor in accordance with the provisions of sections 4-5 to 4-8, inclusive, with the powers and duties therein prescribed. The Chief Workforce Officer shall be qualified by training and experience to perform the duties of the office as set forth in this section and shall have knowledge of publicly funded workforce training programs. The Chief Workforce Officer shall:

(1) Be the principal advisor for workforce development policy, strategy and coordination to the Governor;

(2) Be the lead state official for the development of employment and training strategies and initiatives;

(3) Be the chairperson of the Workforce Cabinet, which shall consist of agencies involved with employment and training, as designated by the Governor pursuant to section 31-3m. The Workforce Cabinet shall meet at the direction of the Governor or the Chief Workforce Officer;

(4) Be the liaison between the Governor, the Governor's Workforce Council, established pursuant to section 31-3h and any local, regional, state or federal organizations and entities with respect to workforce development policy, strategy and coordination, including, but not limited to, implementation of the Workforce Innovation and Opportunity Act of 2014, P.L. 113-128, as amended from time to time;

(5) Develop, and update as necessary, a state workforce strategy in consultation with the Governor's Workforce Council and the Workforce Cabinet and subject to the approval of the Governor. The Chief Workforce Officer shall submit, in accordance with the provisions of section 11-4a, the state workforce strategy to the joint standing committees of the General Assembly having cognizance of matters relating to appropriations, commerce, education, higher education and employment advancement, and labor and public employees at least thirty days before submitting such state workforce strategy to the Governor for his or her approval;

(6) Coordinate workforce development activities (A) funded through state resources, (B) funded through funds received pursuant to the Workforce Innovation and Opportunity Act of 2014, P.L. 113-128, as amended from time to time, or (C) administered in collaboration with any state agency for the purpose of furthering the goals and outcomes of the state workforce strategy approved by the Governor pursuant to subdivision (5) of this subsection and the workforce development plan developed by the Governor's Workforce Council pursuant to the

provisions of section 31-11p;

(7) Collaborate with the regional workforce development boards to adapt the best practices for workforce development established by such boards for state-wide implementation, if possible;

(8) Coordinate measurement and evaluation of outcomes across education and workforce development programs, in conjunction with state agencies, including, but not limited to, the Labor Department, the Department of Education and the Office of Policy and Management;

(9) Notwithstanding any provision of the general statutes, review any state plan for each program set forth in Section 103(b) of the Workforce Innovation and Opportunity Act of 2014, P.L. 113-128, as amended from time to time, before such plan is submitted to the Governor;

(10) Establish methods and procedures to ensure the maximum involvement of members of the public, the legislature and local officials in workforce development policy, strategy and coordination;

(11) In conjunction with one or more state agencies enter into such contractual agreements, in accordance with established procedures and the approval of the Secretary of the Office of Policy and Management, as may be necessary to carry out the provisions of this section. The Chief Workforce Officer may enter into agreements with other state agencies for the purpose of performing the duties of the Office of Workforce Strategy, including, but not limited to, administrative, human resources, finance and information technology functions;

(12) Market and communicate the state workforce strategy to ensure maximum engagement with students, trainees, job seekers and businesses while effectively elevating the state's workforce profile nationally;

(13) For the purposes of subsection (a) of section 10-21c identify subject areas, courses, curriculum, content and programs that may be offered to students in elementary and high school in order to improve

student outcomes and meet the workforce needs of the state;

(14) Issue guidance to state agencies, the Governor's Workforce Council and regional workforce development boards in furtherance of the state workforce strategy and the workforce development plan developed by the Governor's Workforce Council pursuant to the provisions of section 31-11p. Such guidance shall be approved by the Secretary of the Office of Policy and Management, allow for a reasonable period for implementation and take effect not less than thirty days from such approval. The Chief Workforce Officer shall consult on the development and implementation of any guidance with the agency, council or board impacted by such guidance;

(15) Coordinate, in consultation with the Labor Department and regional workforce development boards to ensure compliance with state and federal laws for the purpose of furthering the service capabilities of programs offered pursuant to the Workforce Innovation and Opportunity Act, P.L. 113-128, as amended from time to time, and the United States Department of Labor's American Job Center system;

(16) Coordinate, in consultation with the Department of Social Services, with community action agencies to further the state workforce strategy; **[**and**]**

(17) In consultation with the regional workforce development boards established under section 31-3k, the Department of Economic and Community Development and other relevant state agencies, incorporate training concerning artificial intelligence, as defined in section 9 of this act, into workforce training programs offered in this state;

(18) In consultation with the Department of Economic and Community Development, the Connecticut Academy of Science and Engineering, the Commission for Educational Technology established in section 4d-80 and broadband Internet access service providers, as defined in section 16-330a, design an outreach program for the purpose of promoting access to broadband Internet access service, as defined in section 16-330a and in accordance with the state digital equity plan, in

underserved communities in this state, and identify a nonprofit organization to implement and lead such outreach program under the supervision of the Chief Workforce Officer, the Department of Economic and Community Development, the Connecticut Academy of Science and Engineering and the Commission for Educational Technology; and

[(17)**]** (19) Take any other action necessary to carry out the provisions of this section.

Sec. 16. (NEW) (*Effective July 1, 2024*) Not later than July 1, 2025, the Board of Regents for Higher Education shall establish, on behalf of Charter Oak State College and in consultation with the independent institutions of higher education in this state, a "Connecticut AI Academy" for the purpose of curating and offering online courses concerning artificial intelligence and the responsible use of artificial intelligence. The board shall, in consultation with Charter Oak State College, develop certificates and badges to be awarded to persons who successfully complete such courses. As used in this section, "artificial intelligence" has the same meaning as provided in section 9 of this act.

Sec. 17. (NEW) (*Effective July 1, 2024*) (a) As used in this section:

(1) "Artificial intelligence" has the same meaning as provided in section 9 of this act;

(2) "Artificial intelligence system" means any machine-based system that, for any explicit or implicit objective, infers from the inputs such system receives how to generate outputs, including, but not limited to, content, decisions, predictions or recommendations, that can influence physical or virtual environments;

(3) "General-purpose artificial intelligence model" (A) means any form of artificial intelligence system that (i) displays significant generality, (ii) is capable of competently performing a wide range of distinct tasks, and (iii) can be integrated into a variety of downstream applications or systems, and (B) does not include any artificial

intelligence model that is used for development, prototyping and research activities before such model is released on the market;

(4) "Generative artificial intelligence system" means any artificial intelligence system, including, but not limited to, a general-purpose artificial intelligence model, that is able to produce or manipulate synthetic digital content;

(5) "Prompt engineering" means the process of guiding a generative artificial intelligence system to generate a desired output; and

(6) "Synthetic digital content" means any digital content, including, but not limited to, any audio, image, text or video, that is produced or manipulated by a generative artificial intelligence system.

(b) Not later than July 1, 2025, the Board of Regents for Higher Education shall establish, on behalf of the regional community-technical colleges, certificate programs in prompt engineering, artificial intelligence marketing for small businesses and artificial intelligence for small business operations.

Sec. 18. (*Effective July 1, 2024*) Not later than December 31, 2024, the Department of Economic and Community Development shall:

(1) In collaboration with The University of Connecticut and the Connecticut State Colleges and Universities, develop a plan to offer high-performance computing services to businesses and researchers in this state;

(2) In collaboration with The University of Connecticut, establish a state-wide research collaborative among health care providers to enable the development of advanced analytics, ethical and trustworthy artificial intelligence, as defined in section 9 of this act, and hands-on workforce education while using methods that protect patient privacy; and

(3) In collaboration with industry and academia, conduct a "CT AI Symposium" to foster collaboration between academia, government and

industry for the purpose of promoting the establishment and growth of artificial intelligence businesses in this state.

Sec. 19. (NEW) (*Effective from passage*) The Department of Economic and Community Development shall, within available appropriations, establish and administer a competitive grant program to fund pilot studies conducted for the purpose of using artificial intelligence to reduce health inequities in this state. No grant awarded pursuant to this section shall be in an amount that exceeds twenty thousand dollars. As used in this section, "artificial intelligence" has the same meaning as provided in section 9 of this act.

Sec. 20. (NEW) (*Effective from passage*) The Department of Economic and Community Development shall, within available appropriations, establish and administer a competitive grant program to fund pilot programs established by hospitals, fire departments, schools, nonprofit providers, the Judicial Department and the Department of Correction for the purpose of clinically integrating algorithms or utilizing virtual trainings. No grant awarded pursuant to this section shall be in an amount that exceeds seventy-five thousand dollars.

Sec. 21. Subsection (a) of section 32-1c of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2024*):

(a) In addition to any other powers, duties and responsibilities provided for in this chapter, chapter 131, chapter 579 and section 4-8 and subsection (a) of section 10-409, the commissioner shall have the following powers, duties and responsibilities: (1) To administer and direct the operations of the Department of Economic and Community Development; (2) to report annually to the Governor, as provided in section 4-60; (3) to conduct and administer the research and planning functions necessary to carry out the purposes of said chapters and sections; (4) to encourage and promote the development of industry and business in the state and to investigate, study and undertake ways and means of promoting and encouraging the prosperous development and

protection of the legitimate interest and welfare of Connecticut business, industry and commerce, within and outside the state; (5) to serve, ex officio as a director on the board of Connecticut Innovations, Incorporated; (6) to serve as a member of the Committee of Concern for Connecticut Jobs; (7) to promote and encourage the location and development of new business in the state as well as the maintenance and expansion of existing business and for that purpose to cooperate with state and local agencies and individuals both within and outside the state; (8) to plan and conduct a program of information and publicity designed to attract tourists, visitors and other interested persons from outside the state to this state and also to encourage and coordinate the efforts of other public and private organizations or groups of citizens to publicize the facilities and attractions of the state for the same purposes; (9) to advise and cooperate with municipalities, persons and local planning agencies within the state for the purpose of promoting coordination between the state and such municipalities as to plans and development; (10) by reallocating funding from other agency accounts or programs, to assign adequate and available staff to provide technical assistance to businesses in the state in exporting, manufacturing and cluster-based initiatives and to provide guidance and advice on regulatory matters; (11) to aid minority businesses in their development; (12) to appoint such assistants, experts, technicians and clerical staff, subject to the provisions of chapter 67, as are necessary to carry out the purposes of said chapters and sections; (13) to employ other consultants and assistants on a contract or other basis for rendering financial, technical or other assistance and advice; (14) to acquire or lease facilities located outside the state subject to the provisions of section 4b-23; (15) to advise and inform municipal officials concerning economic development and collect and disseminate information pertaining thereto, including information about federal, state and private assistance programs and services pertaining thereto; (16) to inquire into the utilization of state government resources and coordinate federal and state activities for assistance in and solution of problems of economic development and to inform and advise the Governor about and propose legislation concerning such problems; (17) to conduct, encourage and

maintain research and studies relating to industrial and commercial development; (18) to prepare and review model ordinances and charters relating to these areas; (19) to maintain an inventory of data and information and act as a clearinghouse and referral agency for information on state and federal programs and services relative to the purpose set forth herein. The inventory shall include information on all federal programs of financial assistance for defense conversion projects and other projects consistent with a defense conversion strategy and shall identify businesses which would be eligible for such assistance and provide notification to such business of such programs; (20) to conduct, encourage and maintain research and studies and advise municipal officials about forms of cooperation between public and private agencies designed to advance economic development; (21) to promote and assist the formation of municipal and other agencies appropriate to the purposes of this chapter; (22) to require notice of the submission of all applications by municipalities and any agency thereof for federal and state financial assistance for economic development programs as relate to the purposes of this chapter; (23) with the approval of the Commissioner of Administrative Services, to reimburse any employee of the department, including the commissioner, for reasonable business expenses, including but not limited to, mileage, travel, lodging, and entertainment of business prospects and other persons to the extent necessary or advisable to carry out the purposes of subdivisions (4), (7), (8) and (11) of this subsection and other provisions of this chapter; (24) to assist in resolving solid waste management issues; (25) (A) to serve as an information clearinghouse for various public and private programs available to assist businesses, and (B) to identify specific micro businesses, as defined in section 32-344, whose growth and success could benefit from state or private assistance and contact such small businesses in order to (i) identify their needs, (ii) provide information about public and private programs for meeting such needs, including, but not limited to, technical assistance, job training and financial assistance, and (iii) arrange for the provision of such assistance to such businesses; (26) to enhance and promote the digital media and motion picture industries in the state; (27) by reallocating funding from other

agency accounts or programs, to develop a marketing campaign that promotes Connecticut as a place of innovation; **[**and**]** (28) by reallocating funding from other agency accounts or programs, to execute the steps necessary to implement the knowledge corridor agreement with Massachusetts to promote the biomedical device industry; and (29) to designate an employee of the Department of Economic and Community Development to serve as the primary point of contact for economic development in the field of artificial intelligence, as defined in section 9 of this act.

Sec. 22. Subsection (a) of section 17b-245g of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2024*):

(a) As used in this section:

(1) "Telehealth" means the mode of delivering health care or other health services via information and communication technologies to facilitate the diagnosis, consultation and treatment, education, care management and self-management of a patient's physical, oral and mental health, and includes (A) interaction between the patient at the originating site and the telehealth provider at a distant site, and (B) synchronous interactions, asynchronous store and forward transfers or remote patient monitoring. "Telehealth" does not include the use of facsimile, texting or electronic mail.

(2) "Connecticut medical assistance program" means the state's Medicaid program and the Children's Health Insurance Program under Title XXI of the Social Security Act, as amended from time to time.

(3) "Remote patient monitoring" means the collection and interpretation of a patient's physiologic data that is digitally transmitted to a telehealth provider, and the treatment management services involving the use of such physiologic data by a telehealth provider to manage the patient's treatment plan."

This act shall take effect as follows and shall amend the following sections:		
Section 1	*October 1, 2024*	New section
Sec. 2	*October 1, 2024*	New section
Sec. 3	*October 1, 2024*	New section
Sec. 4	*October 1, 2024*	New section
Sec. 5	*October 1, 2024*	New section
Sec. 6	*October 1, 2024*	New section
Sec. 7	*October 1, 2024*	New section
Sec. 8	*October 1, 2024*	New section
Sec. 9	*from passage*	New section
Sec. 10	*October 1, 2024*	53a-189c
Sec. 11	*July 1, 2024*	9-600
Sec. 12	*July 1, 2024*	New section
Sec. 13	*from passage*	New section
Sec. 14	*July 1, 2024*	4a-2e
Sec. 15	*July 1, 2024*	4-124w(b)
Sec. 16	*July 1, 2024*	New section
Sec. 17	*July 1, 2024*	New section
Sec. 18	*July 1, 2024*	New section
Sec. 19	*from passage*	New section
Sec. 20	*from passage*	New section
Sec. 21	*July 1, 2024*	32-1c(a)
Sec. 22	*July 1, 2024*	17b-245g(a)