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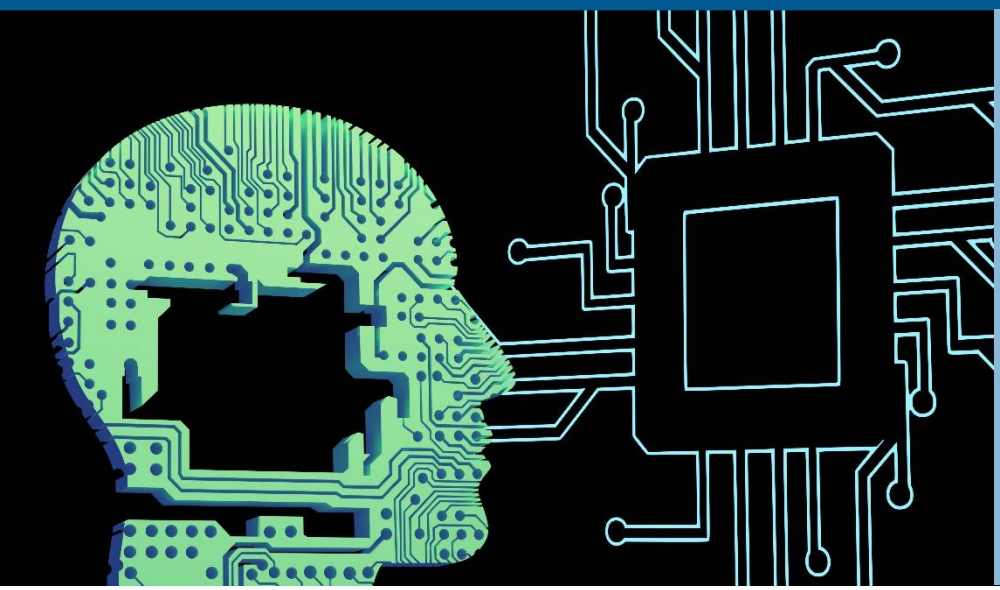
Objective Research for Connecticut's Legislature

Issue Brief



Artificial Intelligence (AI)

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What is Artificial Intelligence (AI)?

AI refers to computer systems that do tasks and react in ways that normally require human intelligence, like learning, solving problems, and achieving goals. AI has a range of models and applications, including generative AI, which is a type of AI that can generate new content, such as text, images, and videos, by learning data patterns (e.g., Open AI's ChatGPT). The widespread application of AI across a wide range of sectors has prompted federal and state policymakers to consider and assess the appropriate role of government in regulating this rapidly developing technology.

One of the challenges policymakers face is defining AI, since there is no consensus on a uniform meaning. Another question policymakers face is whether regulation is needed, and if so, what type of regulatory framework would put up needed guardrails while not hampering AI development.

AI-Related Terms

- **Algorithmic Discrimination** – when AI makes decisions that unfairly disfavor an individual or group of people based on certain attributes (e.g., age or ethnicity)
- **Consequential Decision** – actions that have a significant effect on a person's life in certain situations (e.g., education, employment, housing, or the criminal justice system)
- **Deepfake** – an AI-generated synthetic media that manipulates or generates images, videos, or audio to depict real or generated people
- **High-risk AI system** – a system that makes or is a controlling factor in a consequential decision
- **Machine learning** – an AI model that allows computers to learn from data and make decisions or predictions based on patterns

Potential Benefits and Risks

- Increased efficiencies and cost savings (e.g., optimizing performance for complex tasks)
- Mitigated human error and risk
- Improved safety for people in dangerous occupations
- Improved human decision-making
- Innovative and beneficial products and services
- Job displacement and need for worker retraining
- Amplified bias and ethical concerns
- Generating false content
- Deepfakes and scams (specifically as it relates to generative AI)
- Privacy concerns for personal data collection

Current Connecticut AI Law

Connecticut law requires the executive and judicial branches to annually inventory all their systems that employ AI. It also:

- required the executive and judicial branches to set policies and procedures on developing, procuring, using, and assessing systems that use AI and post them online, and
- requires them to conduct an impact assessment before implementing any system that uses AI (PA 23-16, codified as CGS §§ 4-68jj, 4a-2e & 51-10e).

For FY 25, another law requires the state Department of Education to implement an AI education tool pilot program under which five school boards implement an AI tool for classroom instruction and student learning (PA 24-151, §§ 143 & 144).

Common Themes in State AI Legislation

In 2024, Colorado passed a first-in-the nation comprehensive law similar to Connecticut's SB 2 (2024). Various other states enacted or introduced more narrow legislation. The most common types of legislation have been on:

- ensuring systems do not "algorithmically discriminate" against users (e.g., 2023 Illinois HB 5322)
- requiring employers to notify and obtain consent from applicants and employees before using certain AI tools (e.g., 2023 New York AB 7859 and SB 5641)
- establishing an AI Bill of Rights (e.g., letting users know when they are interacting with AI) (e.g., 2024 Oklahoma HB 3453)
- creating working groups to study AI and to make recommendations (e.g., 2024 Hawaii HB 2176 and SB 2572)
- addressing deepfakes and AI (e.g., 2024 New Hampshire HB 1432)

Connecticut Legislation Considered in 2024

During the 2024 legislative session, the General Assembly considered a number of AI-related initiatives. The most comprehensive of these bills, sSB 2, as amended by Senate "A" and "B," among other things, would have required:

- high-risk AI system developers and deployers to use reasonable care to protect consumers from algorithmic discrimination;
- high-risk AI system developers to make available to other deployers a general statement describing the system's intended uses;
- deployers to implement a risk management policy and program before deploying high-risk AI systems and complete an impact assessment before making certain changes to the system; and
- Connecticut businesses and AI developers to make certain disclosures (e.g., when a consumer is interacting with an AI system or when the system generates synthetic content).

The bill would have also specifically prohibited certain deceptive AI media for elections and unlawfully disseminating a synthetic intimate image. Among other things, it also would have required various governmental entities to incorporate or expand systems to include AI and would have given the attorney general enforcement authority.

The bill passed the Senate, but died on the House calendar.

Learn More

National Conference of State Legislatures: Artificial Intelligence Policy Toolkit (Oct. 2024); Approaches to Regulating Artificial Intelligence: A Primer (Aug. 2023); Artificial Intelligence 2024 Legislation (Sep. 2024); Artificial Intelligence in Government: The Federal and State Landscape (Nov. 2024)

Congressional Research Service: *Generative Artificial Intelligence and Data Privacy: A Primer* (May 2023); *Artificial Intelligence: Overview, Recent Advances, and Considerations for the 118th Congress* (Aug. 2023)

CT AI Working Group: Final Report (Feb. 2024)

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Analyst: Duke Chen
Connecticut General Assembly
860-240-8400 | www.cga.ct.gov/olr