General Law Committee Public Hearing, March 4, 2026

Senate Bill 5 ***An Act Concerning Online Safety***

Senate Bill 86 ***An Act Addressing Innovations in the Responsible Use of Artificial Intelligence***

Good afternoon, Senator Maroney, Representative Lemar, and members of the General Law Committee. My name is Zak Leavy, and I am the Deputy Director for AFSCME Council 4, which represents 30,000 private and public sector employees across Connecticut. I am here to testify on Senate Bill 5 and Senate Bill 86, which both address artificial intelligence.

Artificial intelligence is an incredible tool that can help create opportunity with uses we have not yet begun to imagine. But it can also cause great harm to vulnerable populations and undermine vital public services. We have already seen real harm done to young users who were influenced by a chatbot and took actions with serious consequences. AI is increasingly being used to replace workers and provide services, even when the quality is lower.

Artificial intelligence is here, and it is critical that Connecticut acts to regulate it and protect public services and residents. When AI is used in decision-making, it is not evaluating information from a neutral perspective or determining what is best for a person. It carries the biases of the data it is trained on, as well as the influence of the people who write its code. Ensuring safety and putting appropriate guardrails in place will not stop innovation, but it will help ensure a better product for the state and the people who use it.

I want to begin with Senate Bill 5, which is a good step forward in protecting workers as artificial intelligence becomes part of nearly every aspect of our lives. We appreciate and thank Senator Maroney and the committee for including language that helps support

workers. But we also have concerns that loopholes and gaps still exist that need to be addressed to protect workers, services, and residents.

I want to highlight several sections, and I hope that there will continue to be robust dialogue on this legislation. Sections 12 through 19 address automated employment-related decision processes in several positive ways, but there are gaps that could allow harm when these systems are used. Notifying applicants and employees that AI is being used to make employment-related decisions is an important protection. However, the bill also allows nondisclosure if a "reasonable person" would say it is obvious that they are interacting with an automated system. This could allow employers to use these processes without notifying applicants or employees. We also believe there should be a requirement for meaningful human review of decisions made by automated systems from the beginning. Additionally, we are concerned that deployers could withhold information by claiming an automated employment-related decision process is a "trade secret," which could weaken enforcement under Section 19 by making it harder to prove discrimination.

We want to thank the committee for the language in Sections 21 and 22 that protects collective bargaining and preserves the ability of state employees to provide services to residents. Across the country, services and benefits are increasingly being administered by unregulated AI, and the consequences are already clear. In Michigan, an AI system wrongfully detected fraud and reduced benefits for residents, resulting in significant legal liability when the state was sued. By protecting workers from having AI assume the duties and functions of their jobs, this bill will help prevent incorrect service delivery and avoid harm to residents. However, we believe that the deployment and use of AI should be a mandatory subject of bargaining. Bringing workers into the process and negotiating the use and impact of AI will help the state understand how these tools can be used effectively while protecting services and workers.

We also want to thank the committee for Section 34, which requires employers to provide written notice of mass layoffs under the WARN Act and to disclose to the Department of Labor whether those layoffs are related to artificial intelligence. This will help track the real impact of AI on jobs and occupations as the technology expands. We

also appreciate the creation of a Connecticut AI Academy to support worker retraining and provide AI skills training.

Senate Bill 5 is a good step forward, but we ask the committee to make the use and impact of artificial intelligence a mandatory subject of bargaining so that workers have meaningful input into how these tools are deployed. We also ask that the bill include a private right of action in addition to the enforcement authority given to the Attorney General. Finally, the legislation creates new programs to help workers and establishes enforcement mechanisms without dedicated appropriations, and we ask that funding be included in the final bill.

We would also like to comment on Senate Bill 86, which focuses primarily on data governance and the consumer-facing use of companion chatbots. This legislation does not meaningfully address concerns about the use of artificial intelligence in the workplace or in public services.

While Section 1 does reference the need to avoid unlawful discrimination or disparate impact, it leaves those determinations to the Chief Data Officer and agency data officers without clear statutory requirements or enforceable standards to ensure that the resulting policies are adequate. The language grants too much discretion without the guidance needed to prevent discriminatory outcomes in practice. We believe that specific, enforceable requirements should be added to the statute to address this gap.

We have strong concerns about the drafting of a regulatory sandbox. A sandbox can be very problematic and allow for the waiving of potential safety regulations and the public interest in order to support "innovation." Ensuring safety and protecting the public interest does not impede innovation or the ability to create new uses for AI. Instead, the creation of a regulatory sandbox allows deployers of AI to potentially inflict real harm on users. The consequences of AI are very real to people, and we need to make sure that it is being used and developed responsibly with the appropriate guardrails.

We also have concerns that a private right of action is not included, which would leave people with no route to protect themselves if they are harmed by a chatbot. Without a private right of action, enforcement depends entirely on state agencies acting on an individual's behalf, which could cause delays compared to an individual acting directly. A private right of action is a critical tool that empowers people to seek redress, and its absence in this bill signals that corporate interests are being prioritized over the people these systems will affect.

We hope to work with the committee on ways to help support workers as we see new technology continues to change working conditions and services.

Thank you.