State Legislation Update

NCSL Task Force on Artificial Intelligence, Cybersecurity and Privacy
Jan. 12, 2024
Presentation Overview

**Artificial Intelligence**
- 2023 Legislation Summary
- Deepfakes Laws and 2023 Legislation

**Cybersecurity**
- 2023 Legislation Summary

**Privacy**
- Consumer Data Privacy
- Comprehensive Data Privacy Enactments
- Childrens Online Privacy
- Health Privacy
Enacted/Adopted

- 27 bills and resolutions

Introduced

- At least 115 bills and resolutions

Map showing states by legislation status:
- No legislation
- Enacted bills or adopted resolutions
- Introduced legislation

States with legislation:
- AK, AZ, AS, CT, DE, FL, GA, HI, ID, IN, IA, KS, KY, LA, ME, MI, MN, MO, MS, MT, NC, ND, NE, NJ, NM, NV, NY, OH, OK, OR, PA, RI, SC, SD, TN, TX, UT, VA, WA, WI, WV, WY

States with no legislation:
- AL, AR, CA, CO, CT, DC, DE, FL, GA, HI, ID, IL, IN, IA, KS, KY, LA, ME, MD, MA, MI, MN, MS, MO, MT, NE, NH, NJ, NM, NV, NY, OH, OK, OR, PA, RI, SC, SD, TN, TX, UT, VA, WA, WI, WV, WY

Artificial Intelligence 2023 Legislation
Updated Jan. 10, 2024
AI Legislation by Category

2023 Session

Government Use
Private Sector Use
Responsible Use
Studies
Effect on Labor/Employment
Health Use
Impact Assessment
Notification
Audit
Oversight/Governance
Elections
Appropriations
Education/Training
Deepfakes State Laws

Civil Penalties

• California, Illinois, Minnesota and New York

Criminal Penalties

• Florida, Georgia, Hawaii, Louisiana, Minnesota, New York, South Dakota, Texas and Virginia
Deepfakes State Legislation

2023 Legislative Session

No legislation

Introduced Legislation

Enacted Legislation

[Map of the United States with states colored to indicate the status of deepfakes legislation: AK, AZ, MT, WV, AS, GU, MP, PR, VI, HI, VT, NH, NJ, MA, DE, MD, RI, CT, DC, ND, SD, NE, CO, KS, WY, ID, WA, MO, OK, AR, MS, AL, GA, SC, FL, TN, NC, VA, WV, OH, KY, IN, IL, WI, IA, MN, WI, MI, PA, NY, MA, NJ, DE, DC, MD, RI, CT, VT, NH, ME, AK, HI, AS, GU, MP, PR, VI]
Deepfakes: Elections

1. Prior to 2023
   • California, Texas and Wisconsin

2. 2023 Enactments
   • Michigan, Minnesota and Washington
Cybersecurity Legislation
2023 Legislation

1

Enactments
• 37 states and Washington, D.C.

2

Resolutions
• Four states, Puerto Rico and Washington, D.C.

No enactments

Enacted or adopted legislation
Consumer Data Privacy 2023 Legislation

Updated Nov. 29, 2023

1. Introductions
   - Over 350 bills introduced

2. Enactments
   - 50 enacted bills and 2 adopted resolutions

Map showing states with legislation, enacted bills, and adopted resolutions.
Children’s Online Privacy
Age-Appropriate Design Code Legislation

1
Enacted
• 2022: California

2
Introduced
• 2023: CT, IL, MD, MN, NV, NJ, NM, NY, OR

No legislation
Enacted AADC
Pending AADC
Children’s Online Privacy
Parental Consent or Supervision Legislation

1. Enacted
- 2023: AR, LA, TX, UT

2. Introduced
- 2023: CA, NY, NC, PA, PR, VA, WV

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**Enacted Legislation**

- AR, LA, TX, UT

**Pending Legislation**

- CA, NY, NC, PA, PR, VA, WV

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NATIONAL CONFERENCE OF STATE LEGISLATURES
Health Data Privacy

2023 Legislative Session

No legislation

Introduced and enacted legislation
NCSL Web Resources

- Artificial Intelligence 2023 Legislation
- Artificial Intelligence (AI) in Elections and Campaigns
- Cybersecurity 2023 Legislation
- 2023 Consumer Data Privacy Legislation
The Graduate

"I want to say one word. Just one word. Are you listening? Plastics."
Heather Morton
Director
Financial Services, Technology and Communications

Reach Out Anytime!

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