

Senate Bill 488

By: Senators Setzler of the 37th, Harbin of the 16th, Harrell of the 40th, Strickland of the 42nd and Parent of the 44th

A BILL TO BE ENTITLED  
AN ACT

1 To amend Chapter 1 of Title 51 of the Official Code of Georgia Annotated, relating to  
2 general provisions relative to torts, so as to provide that generative artificial intelligence  
3 systems shall constitute personal property for purposes of certain actions for product liability  
4 alleging injury to a minor; to provide for liability of product sellers in such actions; to  
5 establish rebuttable presumptions relative to manufacturers and product sellers in such  
6 actions; to provide for definitions; to provide for an effective date and applicability; to  
7 provide for related matters; to repeal conflicting laws; and for other purposes.

8 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

9 **SECTION 1.**

10 Chapter 1 of Title 51 of the Official Code of Georgia Annotated, relating to general  
11 provisions relative to torts, is amended by adding a new Code section to read as follows:

12 "51-1-11.2.

13 (a) As used in this Code section, the term:

14 (1) 'Generative artificial intelligence system' means a computer based system that uses  
15 machine learning and is intended to generate, with some degree of autonomy, synthetic

16 content and information, including, but not limited to, text, images, videos, audio, codes,  
17 prompts, commands, instructions, directions, and other forms of content and information.

18 (2) 'Minor' means an individual who is under 18 years of age and who is not  
19 emancipated.

20 (3) 'Product seller' shall have the same meaning as provided for in Code  
21 Section 51-1-11.1.

22 (b) For purposes of an action for product liability based in whole or in part on the doctrine  
23 of strict liability in tort that alleges a minor used, consumed, or was reasonably affected by  
24 a generative artificial intelligence system and he or she suffered an injury to his or her  
25 person or property because such generative artificial intelligence system when sold by a  
26 manufacturer or product seller was not merchantable and reasonably suited to the use  
27 intended, and its condition when sold was the proximate cause of the injury sustained, such  
28 generative artificial intelligence system shall constitute personal property, as such term is  
29 used in Code Section 51-1-11.

30 (c) Notwithstanding any provision of Code Section 51-1-11 or 51-1-11.1 to the contrary,  
31 a product seller of a generative artificial intelligence system that is the subject of an action  
32 for product liability provided for in subsection (b) of this Code section may be liable in  
33 damages to the minor so injured.

34 (d) In any action for product liability provided for in subsection (b) of this Code section,  
35 there shall be a rebuttable presumption that the manufacturer and the product seller of such  
36 generative artificial intelligence system had a duty to warn of the risk of such injury  
37 sustained."

38 **SECTION 2.**

39 This Act shall become effective on January 1, 2027, and shall apply to all causes of action  
40 accruing on and after such date.

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**SECTION 3.**

42 All laws and parts of laws in conflict with this Act are repealed.