

Senate Bill 37

By: Senators Albers of the 56th, Still of the 48th, Esteves of the 35th, Burns of the 23rd,
Payne of the 54th and others

A BILL TO BE ENTITLED
AN ACT

1 To amend Chapter 1 of Title 50 of the Official Code of Georgia Annotated, relating to
2 general provisions regarding state government, so as to require that all governmental entities
3 develop and maintain artificial intelligence system usage plans; to amend Chapter 12 of Title
4 50 of the Official Code of Georgia Annotated, relating to commissions and other agencies,
5 so as to create the Georgia Board for Artificial Intelligence; to provide for guidance to
6 governmental entities in their development of artificial intelligence system usage plans; to
7 provide for the purpose, membership, and duties of such board; to provide for reports; to
8 provide for compensation and funding; to provide for definitions; to provide for related
9 matters; to provide for a short title; to provide for legislative findings; to repeal conflicting
10 laws; and for other purposes.

11 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

12 **SECTION 1.**

13 This Act shall be known and may be cited as the "AI Accountability Act."

14 **SECTION 2.**

15 The General Assembly finds that:

S. B. 37

- 1 -

- 16 (1) Artificial intelligence ("AI"), the development of computer systems to perform tasks
17 that normally require human intelligence, such as learning and decision making, has the
18 potential to spur innovation and transform industry and government;
- 19 (2) As the science and technology of AI continue to develop, more products and services
20 are utilizing AI in fields such as healthcare, financial services, education, housing, and
21 transportation. Such utilization may ultimately displace certain jobs and fields of
22 employment;
- 23 (3) There are valid concerns about potential misuse or unintended consequences of AI,
24 especially without the development and implementation of ethical standards that seek to
25 preserve the dignity, autonomy, and self-determination of individuals;
- 26 (4) In the 2023 legislative session, at least 25 states, Puerto Rico, and the District of
27 Columbia introduced AI bills, and 18 states and Puerto Rico adopted resolutions or enacted
28 legislation in this area; and
- 29 (5) It is important that this state establish policies and procedures concerning the
30 development, procurement, implementation, utilization, and ongoing assessment of systems
31 that employ AI and are in use by state agencies.

32

SECTION 3.

33 Chapter 1 of Title 50 of the Official Code of Georgia Annotated, relating to general
34 provisions regarding state government, is amended by adding a new Code section to read as
35 follows:

36 "50-1-14.

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

38 (1) 'Artificial intelligence system' or 'AI system' means an engineered or machine based
39 system that emulates the capability of a person to receive audio, visual, text, or any other
40 form of information and use the information received to emulate a human cognitive
41 process, including, but not limited to, learning, generalizing, reasoning, planning,

42 predicting, acting, or communicating; provided, however, that artificial intelligence
43 systems may vary in the forms of information they can receive and in the human
44 cognitive processes they can emulate.

45 (2) 'Governmental entity' means any department, agency, board, bureau, commission,
46 authority, county, municipal corporation, school system, or other political subdivision of
47 this state.

48 (b) Each governmental entity shall be required to publish by December 31, 2026, on a
49 public website, and thereafter maintain, a comprehensive artificial intelligence system
50 usage plan, which shall, at a minimum, include the following:

51 (1) Specific goals and objectives for AI system deployment, including the benefits the
52 governmental entity aims to achieve;

53 (2) Steps taken by the governmental entity to avoid bias and ensure fairness across
54 diverse user groups;

55 (3) Data privacy measures implemented in the use of AI systems, including data storage
56 and collection protocols;

57 (4) Roles and responsibilities for AI system governance within the governmental entity;

58 (5) Details of compliance with relevant laws;

59 (6) The role of human oversight in AI system processes;

60 (7) Training programs for employees of such governmental entity on the safe and ethical
61 use of AI systems;

62 (8) Protocols for incident response in case of AI system malfunctions, biases, or
63 breaches; and

64 (9) Reporting procedures for AI system related incidents to affected authorities and
65 parties."

66

SECTION 4.

67 Chapter 12 of Title 50 of the Official Code of Georgia Annotated, relating to commissions
68 and other agencies, is amended by adding a new article to read as follows:

69

"ARTICLE 970 50-12-150.71 As used in this article, the term:72 (1) 'Board' means the Georgia Board for Artificial Intelligence.

73 (2) 'Governmental entity' means any department, agency, board, bureau, commission,
74 authority, county, municipal corporation, school system, or other political subdivision of
75 this state.

76 50-12-151.

77 (a) There is created the Georgia Board for Artificial Intelligence. The board shall consist
78 of 12 members to be appointed as follows:

79 (1) Four members appointed by the Governor;80 (2) Four members appointed by the President of the Senate; and81 (3) Four members appointed by the Speaker of the House of Representatives.

82 (b) The members of the board shall be individuals of recognized ability and achievement
83 from either public or private positions. All vacancies shall be filled for the unexpired term
84 by the original appointing official. Except as otherwise provided in subsection (c) of this
85 Code section, members shall serve for terms of four years and shall be eligible for
86 successive appointments by an appointing official. Any member with four consecutive
87 unexcused absences from regular monthly meetings may be removed from the board by the
88 appointing official.

89 (c) To effect staggered terms of office for members of the board and effective with
90 members appointed for terms beginning in 2025, the Governor, the President of the Senate,
91 and the Speaker of the House of Representatives shall each appoint two members for
92 two-year terms of office, one member for a three-year term of office, and one member for
93 a one-year term of office. Thereafter, all members shall be appointed to serve four-year
94 terms of office.

95 (d) The board shall be assigned to the Georgia Technology Authority for administrative
96 purposes only, as prescribed in Code Section 50-4-3.

97 (e) The Governor shall designate a member to serve as the chairperson of the board for a
98 term ending on June 30 of the year following the appointment.

99 50-12-152.

100 (a) The board shall advise governmental entities through the publication of model
101 comprehensive artificial intelligence system usage plans as described in subsection (b) of
102 Code Section 50-1-14.

103 (b) The board, no later than January 1, 2026, and annually thereafter, shall submit to the
104 Governor, the President of the Senate, and the Speaker of the House of Representatives a
105 report detailing any recommendations along with the model comprehensive artificial
106 intelligence system usage plans required in subsection (a) of this Code section. Any reports
107 generated by the board shall be made available to the public on an annual basis by the
108 Georgia Technology Authority by posting such reports on the appropriate governmental
109 entity websites.

110 50-12-153.

111 (a) Board members shall receive no compensation for their services but shall be allowed
112 actual and necessary expenses in the performance of their duties. Citizen members shall
113 receive a daily expense allowance in the amount specified in subsection (b) of Code

114 Section 45-7-21 as well as the mileage or transportation allowance authorized for state
115 employees. Members appointed to serve on the board who are state officials or state
116 employees shall receive no compensation for their services on the board but shall be
117 reimbursed for expenses incurred in the performance of their duties as members of the
118 board in the same manner as reimbursements are made in their capacity as state officials
119 or state employees. The funds necessary for the reimbursement of the expenses of state
120 officials and state employees shall come from funds appropriated to or otherwise available
121 to their respective departments.
122 (b) Any funds, other than those required for the reimbursement of the expenses of state
123 officials and state employees, necessary to carry out this article shall come from funds
124 appropriated or otherwise made available to the Georgia Technology Authority for the
125 purposes expressed in this article."

126

SECTION 5.

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