Department of Legislative Services
Maryland General Assembly
2023 Session

FISCAL AND POLICY NOTE
First Reader

House Bill 1068   (Delegate Kaiser, *et al.*)

Health and Government Operations

Commission on Responsible Artificial Intelligence in Maryland

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This bill establishes the Commission on Responsible Artificial Intelligence in Maryland. The Department of Legislative Services (DLS) must staff the commission and the commission must explore specified issues concerning the use of artificial intelligence (A.I.) in the State, nation, and world. By June 30, 2025, the commission must report its findings and recommendations to specified committees of the General Assembly. **The bill takes effect July 1, 2023, and terminates June 30, 2025.**

Fiscal Summary

State Effect: DLS can staff the commission using existing budgeted resources; however, general fund expenditures may increase to the extent that DLS must hire a consultant with relevant expertise. Revenues are not affected.

Local Effect: Local governments can participate in commission activities as necessary and appropriate using existing budgeted resources. No effect on revenues.

Small Business Effect: None.

Analysis

Bill Summary: A member of the commission may not receive compensation as a member of the commission but is entitled to reimbursement for expenses under the Standard State Travel Regulations, as provided in the State budget. The commission must:

- examine what A.I. is, including how it is defined and the technologies and uses that are included and excluded under the term;

- determine how federal, State, and local laws relating to A.I. align, differ, conflict, and interact across levels of government;
- determine which public interest use cases exist or may exist for A.I.;
- determine whether an appropriate regulating authority for A.I. currently exists;
- examine how other states and nations regulate A.I.;
- develop best practices for public sector uses of A.I. in the State;
- make findings and recommendations (1) regarding oversight of A.I. across all public functions; (2) to address deficiencies in statue and regulations; and (3) regarding infrastructure that is necessary to support responsible use of A.I. in Maryland; and
- determine and make recommendations regarding whether the commission should be extended to monitor, analyze, and make findings and recommendations to keep pace with changes in A.I. technology and uses of the technology.

Current Law: There are no State laws expressly regulating or governing the use of A.I. in the State. However, the Department of Information Technology and the Secretary of Information Technology are responsible for annually evaluating the feasibility of units of State government providing public services using A.I., machine learning, commercial cloud computer services, device-as-a-service procurement models, and other emerging technologies.

At the federal level, A.I. is regulated by the National Artificial Intelligence Initiative Office (NAIIO) and a series of acts. NAIIO was created by the National Artificial Intelligence Act of 2020 to ensure continued United States leadership in A.I. research and development, lead the world in the development and use of trustworthy A.I. systems in public and private sectors; prepare the present and future United States workforce for the integration of A.I. systems across all sectors of the economy and society; and coordinate ongoing A.I. activities across all federal agencies.

State Expenditures: DLS can likely staff the Commission on Responsible Artificial Intelligence in Maryland with existing resources. However, if the research demands of the commission are significant and/or require technical knowledge about A.I., DLS may require additional general fund expenditures to retain consultant services to complete the work of the commission.

Reimbursements for commission members are assumed to be minimal and absorbable with existing budgeted resources.

Additional Information

Prior Introductions: Similar legislation has not been introduced within the last three years.

Designated Cross File: None.

Information Source(s): Department of Information Technology; University of Maryland Medical System; University System of Maryland; Department of General Services; Maryland Department of Health; National Artificial Intelligence Initiative Office; Department of Legislative Services

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