HOUSE BILL 589

E1, D3   5lr2328

By: **Delegates Grammer and Arikan**
Introduced and read first time: January 23, 2025
Assigned to: Judiciary

A BILL ENTITLED

1   AN ACT concerning

2   **Artificial Intelligence – Causing Injury or Death – Civil and Criminal Liability**

3   FOR the purpose of establishing that a person who intentionally, knowingly, or negligently
4   designs or creates artificial intelligence software able to cause physical injury or
5   death is strictly liable for damages and subject to a civil penalty if the software is
6   used to cause personal injury or death; prohibiting a person from intentionally,
7   knowingly, or negligently designing or creating artificial intelligence software able
8   to cause injury or death; and generally relating to prohibitions relating to artificial
9   intelligence.

10   BY adding to
11   Article – Courts and Judicial Proceedings
12   Section 3–2601 to be under the new subtitle "Subtitle 26. Personal Injury or Death
13   Caused by Implementation of Artificial Intelligence Software"
14   Annotated Code of Maryland
15   (2020 Replacement Volume and 2024 Supplement)

16   BY adding to
17   Article – Criminal Law
18   Section 1–403
19   Annotated Code of Maryland
20   (2021 Replacement Volume and 2024 Supplement)

21   SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
22   That the Laws of Maryland read as follows:

23   **Article – Courts and Judicial Proceedings**

24   SUBTITLE 26. PERSONAL INJURY OR DEATH CAUSED BY IMPLEMENTATION OF
25   ARTIFICIAL INTELLIGENCE SOFTWARE.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.
        [Brackets] indicate matter deleted from existing law.

1   **3–2601.**

2   A PERSON WHO INTENTIONALLY, KNOWINGLY, OR NEGLIGENTLY DESIGNS OR
3   CREATES ARTIFICIAL INTELLIGENCE SOFTWARE WITH THE CAPABILITY OF CAUSING
4   PERSONAL INJURY OR DEATH IS:

5   (1)   STRICTLY LIABLE FOR DAMAGES RESULTING FROM PERSONAL
6   INJURY OR DEATH CAUSED BY THE USE OF THE SOFTWARE; AND

7   (2)   SUBJECT TO A CIVIL PENALTY NOT EXCEEDING THE APPLICABLE
8   LIMITATION ON NONECONOMIC DAMAGES UNDER § 3–2A–09 OF THIS TITLE IF THE
9   USE OF THE SOFTWARE CAUSES PERSONAL INJURY OR DEATH.

10   **Article – Criminal Law**

11   **1–403.**

12   (A)   (1)   A PERSON MAY NOT INTENTIONALLY DESIGN OR CREATE
13   ARTIFICIAL INTELLIGENCE SOFTWARE WITH THE CAPABILITY OF CAUSING
14   PERSONAL INJURY OR DEATH.

15   (2)   A PERSON WHO VIOLATES THIS SUBSECTION IS GUILTY OF A
16   FELONY AND ON CONVICTION IS SUBJECT TO IMPRISONMENT NOT EXCEEDING **20**
17   YEARS OR A FINE NOT EXCEEDING **$100,000** OR BOTH.

18   (B)   (1)   A PERSON MAY NOT KNOWINGLY DESIGN OR CREATE ARTIFICIAL
19   INTELLIGENCE SOFTWARE WITH THE CAPABILITY OF CAUSING PERSONAL INJURY
20   OR DEATH.

21   (2)   A PERSON WHO VIOLATES THIS SUBSECTION IS GUILTY OF A
22   MISDEMEANOR AND ON CONVICTION IS SUBJECT TO IMPRISONMENT NOT
23   EXCEEDING **10** YEARS OR A FINE NOT EXCEEDING **$50,000** OR BOTH.

24   (C)   (1)   A PERSON MAY NOT NEGLIGENTLY DESIGN OR CREATE
25   ARTIFICIAL INTELLIGENCE SOFTWARE WITH THE CAPABILITY OF CAUSING
26   PERSONAL INJURY OR DEATH.

27   (2)   A PERSON WHO VIOLATES THIS SUBSECTION IS GUILTY OF A
28   MISDEMEANOR AND ON CONVICTION IS SUBJECT TO IMPRISONMENT NOT
29   EXCEEDING **5** YEARS OR A FINE NOT EXCEEDING **$25,000** OR BOTH.

30   SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
31   October 1, 2025.