# **SENATE BILL 655**

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5lr2146 CF HB 966

### By: Senator Hester

Introduced and read first time: January 25, 2025 Assigned to: Judicial Proceedings

Committee Report: Favorable with amendments Senate action: Adopted Read second time: February 21, 2025

CHAPTER \_\_\_\_\_

# 1 AN ACT concerning

# 2 Courts – Artificial Intelligence Evidence Clinic Pilot Program – Establishment

3 FOR the purpose of establishing an Artificial Intelligence Evidence Clinic Pilot Program within the Administrative Office of the Courts; requiring the Administrative Office 4  $\mathbf{5}$ of the Courts to issue a request for proposals to select an entity to conduct the 6 Program and requiring the Administrative Office of the Courts to give preference to 7 <del>cortain entities in the selection process</del> develop a grant application for the Program and award grants to eligible institutions of higher education; authorizing the 8 9 Governor to include in the annual budget bill an appropriation to the Program and 10 establishing a certain limitation on the expenditure of appropriated funds; and 11 generally relating to the Artificial Intelligence Evidence Clinic Pilot Program.

## 12 BY adding to

- 13 Article Courts and Judicial Proceedings
- 14 Section 13–101.2
- 15 Annotated Code of Maryland
- 16 (2020 Replacement Volume and 2024 Supplement)
- SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
   That the Laws of Maryland read as follows:

# 19 Article – Courts and Judicial Proceedings

20 **13–101.2**.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

<u>Underlining</u> indicates amendments to bill.

Strike out indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 (A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS 2 INDICATED.

3 (2) "ARTIFICIAL INTELLIGENCE" HAS THE MEANING STATED IN § 4 3.5–801 OF THE STATE FINANCE AND PROCUREMENT ARTICLE.

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(3) **"OFFICE" MEANS THE ADMINISTRATIVE OFFICE OF THE COURTS.** 

6 (4) "PROGRAM" MEANS THE ARTIFICIAL INTELLIGENCE EVIDENCE 7 CLINIC PILOT PROGRAM.

8 (B) THERE IS AN ARTIFICIAL INTELLIGENCE EVIDENCE CLINIC PILOT 9 PROGRAM IN THE OFFICE.

10 (C) (1) THE PURPOSE OF THE PROGRAM IS TO PROVIDE EXPERTISE IN 11 ARTIFICIAL INTELLIGENCE TO THE CIRCUIT COURTS AND THE DISTRICT COURT IN 12 THE FORM OF EXPERT TESTIMONY ON THE AUTHENTICITY OF ELECTRONIC 13 EVIDENCE THAT A COURT DETERMINES MAY HAVE BEEN CREATED OR ALTERED 14 USING ARTIFICIAL INTELLIGENCE.

(2) THE PROGRAM SHALL ENGAGE COLLEGE AND UNIVERSITY
 STUDENTS, RECENT GRADUATES, AND FACULTY AND TECHNOLOGY PROFESSIONALS
 DEDICATED TO THE RESEARCH AND ADVANCEMENT OF ARTIFICIAL INTELLIGENCE
 IN ORDER TO DEVELOP EXPERT WITNESS RESOURCES FOR COURTS TO USE IN CASES
 IMPLICATING THE USE OF ARTIFICIAL INTELLIGENCE.

20 (3) THE PROGRAM SHALL PRIORITIZE CIVIL CASES IN WHICH ONE OR
 21 MORE PARTIES DO NOT HAVE LEGAL REPRESENTATION OR REASONABLE ACCESS TO
 22 EXPERT TESTIMONY.

23THE OFFICE SHALL ISSUE A REQUEST FOR PROPOSALS FOR THE **(D)** (1)24PROGRAM TO SELECT AN ENTITY TO MANAGE THE PROGRAM. 25<del>(2)</del> AT A MINIMUM, THE REQUEST FOR PROPOSALS SHALL: 26<del>(I)</del> STATE WITH SPECIFICITY THE GOALS OF THE PROGRAM: 27AND 28<del>(III)</del> STATE WITH SPECIFICITY THE OBJECTIVES AND 29PERFORMANCE CRITERIA THAT WILL BE USED TO MEASURE THE SUCCESS OF THE 30 **PROGRAM, INCLUDING AN ENTITY'S WILLINGNESS TO:** 

1. LIST THE CLINIC AS A FOR-CREDIT COURSE; AND

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 2.
 Enable credit sharing across institutions of

 2
 Higher education.

- 3 (3) IN SELECTING AN ENTITY TO MANAGE THE PROGRAM, THE 4 OFFICE SHALL GIVE PREFERENCE TO AN ENTITY THAT:
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(I) IS A MARYLAND-BASED VENDOR;

6 (II) HAS AN ACADEMIC FOCUS ON COMPUTER SCIENCE AND 7 TECHNOLOGY RESEARCH AND ADVANCEMENT;

8 (III) HAS EXPERIENCE RELATING TO ARTIFICIAL 9 INTELLIGENCE; AND

(IV) WILL MAXIMIZE THE USE OF STATE FUNDS THROUGH THE
 USE OF MECHANISMS, INCLUDING PREEXISTING MATERIALS, FUNDING
 PARTNERSHIPS, AND RESOURCE MATCHING IN ADMINISTERING THE PROGRAM, THE
 OFFICE SHALL:

14 (1) DEVELOP A GRANT APPLICATION FOR THE PROGRAM; AND

15(2)AWARD GRANTS TO ELIGIBLE INSTITUTIONS OF HIGHER16EDUCATION.

17 (E) (1) FOR FISCAL YEARS 2027 AND 2028, THE GOVERNOR MAY 18 INCLUDE IN THE ANNUAL BUDGET BILL AN APPROPRIATION OF \$250,000 TO THE 19 PROGRAM.

20 (2) NOT MORE THAN 20% OF THE MONEY APPROPRIATED TO THE 21 PROGRAM MAY BE USED FOR ADMINISTRATIVE EXPENSES.

(F) THE TERMS OF THE AGREEMENT BETWEEN THE OFFICE AND AN ENTITY
SELECTED TO MANAGE THE PROGRAM SHALL INCLUDE A CLAUSE THAT REQUIRES
THE OFFICE TO HOLD HARMLESS THE ENTITY SELECTED TO CONDUCT THE
PROGRAM AGAINST ANY CLAIM ALLEGING LIABILITY OR DAMAGES RELATING TO
THE PROVISION OF EXPERTISE IN ARTIFICIAL INTELLIGENCE AS PART OF THE
PROGRAM, EXCEPT IN CASES OF WILLFUL OR WANTON MISCONDUCT, GROSS
NEGLIGENCE, OR INTENTIONALLY TORTIOUS CONDUCT.

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