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To: Members of the House Judiciary Committee
From: Maryland State Bar Association (MSBA)
Subject: HB 589 - Artificial Intelligence - Causing Injury or Death - Civil and Criminal Liability
Date: February 7, 2025
Position: **Oppose**

The Maryland State Bar Association (MSBA) opposes **House Bill 589 - Artificial Intelligence - Causing Injury or Death - Civil and Criminal Liability**. HB 589 establishes that a person who intentionally, knowingly, or negligently designs or creates artificial intelligence software able to cause physical injury or death is strictly liable for damages and subject to a civil penalty if the software is used to cause personal injury or death; and prohibits a person from intentionally, knowingly, or negligently designing or creating artificial intelligence software able to cause injury or death.

MSBA represents more attorneys than any other organization across the state in all practice areas. Through its advocacy committees and various practice-specific sections, MSBA monitors and takes positions on legislation that protects over 42,000 legal professionals, preserves the integrity of the judicial system, and ensures access to justice for Marylanders.

A broad range of offenses could fall under the bill as written, as a person who intentionally, knowingly, or negligently designs AI software “**with the capability** of causing personal injury or death” would be held strictly liable for damages and civil and criminal penalties. Given the range of emerging AI technology and uses, the bill may be overbroad in assigning liability.

For these reasons, MSBA opposes HB 589 and asks for an Unfavorable Committee Report.

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