

FINAL BILL REPORT

E2SSB 5838

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Synopsis as Enacted

Brief Description: Establishing an artificial intelligence task force.

Sponsors: Senate Committee on Ways & Means (originally sponsored by Senators Nguyen, Conway, Dhingra, Frame, Hasegawa, Hunt, Keiser, Kuderer, Lias, Lovelett, Lovick, Muzzall, Nobles, Saldaña, Salomon, Stanford, Torres, Valdez and Wellman; by request of Attorney General).

Senate Committee on Environment, Energy & Technology
Senate Committee on Ways & Means
House Committee on Consumer Protection & Business
House Committee on Appropriations

Background: Artificial Intelligence. Artificial intelligence (AI) refers to technologies that use data to train statistical models for the purpose of enabling computer systems to perform tasks normally associated with human intelligence or perception, such as computer vision, speech or natural language processing, and content generation. Generative AI tools are a specific form of AI capable of creating new content or data based on a foundational model. Such tools are currently widely accessible to consumers and can perform a wide range of functions.

Summary: Task Force Created. Subject to appropriations, a task force is created to assess current uses and trends by private and public sector entities and make recommendations to the Legislature regarding standards for the use and regulation of AI. The Office of the Attorney General must administer and provide staff support for the task force.

Executive Committee. The task force is composed of a nine-member executive committee including one member from each of the two largest caucuses in the Senate and the House of Representatives, and one member representing each of the following organizations:

- one member representing the Office of the Governor;
- one member representing the Office of the Attorney General;
- one member representing Washington Technology Solutions;

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- one member representing the state auditor;
- one member representing universities or research institutions that are experts in the design and effect of an algorithmic system;
- one member representing private technology industry groups;
- one member representing business associations;
- three members representing community advocate organizations that represent vulnerable communities;
- one member representing the LGBTQ+ community;
- one member representing the retail industry;
- one member representing the hospitality industry;
- one member representing statewide labor organizations; and
- one member representing public safety.

Subcommittees. The executive committee may convene subcommittees comprised of experts and relevant stakeholders to advise the task force on designated topics on an ongoing, recurring, or one-time basis. Subcommittees must contain at least one member from an advocacy organization that represents communities that are disproportionately vulnerable to being harmed by algorithmic bias and at least one member with relevant industry expertise. Subcommittee meeting reports and summaries must be published on the attorney general's website.

Executive committee or subcommittee members whose participation may be hampered by financial hardship may be compensated if they are low-income or have lived experience to support their participation.

Meeting and Reporting. The executive committee of the task force must investigate and submit reports on several enumerated areas of concern, including, but not limited to:

- a review of public policy issues and existing protections;
- identification of high-risk uses, algorithmic discrimination, racial equity, and civil liberty issues; and
- recommendations for guiding principles, regulatory structures, legal remedies, privacy and security measures, and opportunities to support innovation.

The executive committee must hold its first meeting within 45 days of final appointments to the task force and must meet at least twice each year thereafter. The first report must be delivered by December 31, 2024. An interim report must be delivered by December 1, 2025, and the final report must be delivered by July 1, 2026. Meeting summaries must be posted to the website of the Attorney General's Office within 30 days of any task force meeting.

Votes on Final Passage:

Senate	31	18	
House	68	28	(House amended)

Senate 30 19 (Senate concurred)

Effective: March 18, 2024