
SUBSTITUTE HOUSE BILL 1934

State of Washington

68th Legislature

2024 Regular Session

By House Consumer Protection & Business (originally sponsored by Representatives Couture, Slatter, Volz, Waters, Rude, Hutchins, Walen, Sandlin, Schmidt, Duerr, Ramos, Ramel, Callan, Kloba, Street, Donaghy, Cheney, Goodman, Ortiz-Self, Reeves, Riccelli, and Pollet; by request of Attorney General)

READ FIRST TIME 01/31/24.

1 AN ACT Relating to establishing an artificial intelligence task
2 force; creating new sections; providing an expiration date; and
3 declaring an emergency.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

5 NEW SECTION. **Sec. 1.** The legislature finds that artificial
6 intelligence is a fast-evolving technology that holds extraordinary
7 potential and has a myriad of uses for both the public and private
8 sectors. Advances in artificial intelligence technology have led to
9 programs that are capable of creating text, audio, and media that are
10 difficult to distinguish from media created by a human. This
11 technology has the potential to provide great benefits to people if
12 used well and to cause great harm if used irresponsibly.

13 The legislature further finds that generative artificial
14 intelligence has become widely available to consumers and has great
15 potential to become a versatile tool for a wide audience. It can
16 streamline tasks, save time and money for users, and facilitate
17 further innovation. Artificial intelligence has the potential to help
18 solve urgent challenges, while making our world more prosperous,
19 productive, innovative, and secure when used responsibly.

20 However, when used irresponsibly, artificial intelligence has the
21 potential to further perpetuate bias and harm to historically

1 excluded groups, as demonstrated by previous innovations like facial
2 recognition technology. It is vital that the fundamental rights to
3 privacy and freedom from discrimination are properly safeguarded as
4 society explores this emerging technology.

5 The federal government has not yet enacted meaningful regulations
6 or oversight into generative artificial intelligence and to date the
7 industry has self-regulated. In July 2023, the federal government
8 announced voluntary commitments by seven leading artificial
9 intelligence companies, including three companies headquartered in
10 Washington, to move toward safe, secure, and transparent development
11 of artificial intelligence technology. The October 2023 executive
12 order on the safe, secure, and trustworthy development and use of
13 artificial intelligence builds on this work by directing developers
14 of artificial intelligence systems to share their safety test results
15 with the United States government.

16 Numerous businesses and agencies have developed principles for
17 artificial intelligence. In Washington, Washington technology
18 solutions (WaTech) developed guiding principles for artificial
19 intelligence use by state agencies. These principles share common
20 themes: Accountability, transparency, human control, privacy and
21 security, advancing equity, and promoting innovation.

22 The legislature finds that the possible impacts of advancements
23 of generative artificial intelligences on Washingtonians require
24 careful consideration in order to promote transparency,
25 accountability, equity, and innovation, and to mitigate risks and
26 potential harms.

27 NEW SECTION. **Sec. 2.** (1) Subject to the availability of amounts
28 appropriated for this specific purpose, a task force to assess
29 current uses and trends and make recommendations to the legislature
30 regarding standards for the use and regulation of generative
31 artificial intelligence systems is established.

32 (2) The task force is composed of members as provided in this
33 subsection.

34 (a) The president of the senate shall appoint one member from
35 each of the two largest caucuses of the senate.

36 (b) The speaker of the house of representatives shall appoint one
37 member from each of the two largest caucuses of the house of
38 representatives.

39 (c) One member representing the office of the attorney general.

1 (d) The following members must be appointed by the office of the
2 attorney general:

3 (i) Eight members representing private technology industry groups
4 or business associations, and subject matter experts with artificial
5 intelligence expertise;

6 (ii) Four members representing community advocate organizations
7 that represent communities that are disproportionately vulnerable to
8 being harmed by algorithmic bias including, but not limited to,
9 African American, Hispanic American, Native American, Asian American,
10 Native Hawaiian, and Pacific Islander communities, LGBTQ+
11 communities, religious minorities, people with disabilities, and
12 other vulnerable communities;

13 (iii) Two members representing statewide labor organizations;

14 (iv) Two members representing the public sector and government;

15 (v) Two members representing universities or research
16 institutions who are experts in the design and effect of an
17 algorithmic system;

18 (vi) One member representing law enforcement; and

19 (vii) One member representing Washington technology solutions.

20 (e) The task force may meet in person or by telephone conference
21 call, videoconference, or other similar telecommunications method, or
22 a combination of such methods.

23 (f) The task force may engage nonmembers to serve on
24 subcommittees as necessary.

25 (3) The office of the attorney general must administer and
26 provide staff support for the task force. The office of the attorney
27 general may, when deemed necessary by the task force, retain
28 consultants to provide data analysis, research, recommendations,
29 training, and other services to the task force for the purposes
30 provided in subsection (4) of this section. The office of the
31 attorney general may convene subcommittees to advise the task force
32 on designated topics of concern including, but not limited to:
33 Commerce; labor; education; law enforcement; and health care. Each
34 subcommittee must contain members with relevant qualifications and
35 background for the subject matter of the subcommittee.

36 (4) The task force shall examine the development and use of
37 generative artificial intelligence by private and public sector
38 entities and make recommendations to the legislature regarding
39 standards for the use and regulation of generative artificial
40 intelligence systems to protect Washingtonians' safety, privacy, and

1 civil and intellectual property rights. The task force findings and
2 recommendations must include:

3 (a) A literature review of public policy issues with generative
4 artificial intelligence, including benefits and risks to the public
5 broadly, historically excluded communities, and other identifiable
6 groups, racial equity considerations, workforce impacts, and ethical
7 concerns;

8 (b) A review of existing protections under state and federal law
9 for individual data and privacy rights, safety, civil rights, and
10 intellectual property rights, and how federal, state, and local laws
11 relating to generative artificial intelligence align, differ,
12 conflict, and interact across levels of government;

13 (c) A recommended set of guiding principles for generative
14 artificial intelligence use;

15 (d) Identification of high-risk uses of artificial intelligence,
16 including those that may negatively affect safety or fundamental
17 rights;

18 (e) Opportunities to support and protect the innovation of
19 generative artificial intelligence technologies;

20 (f) Recommendations on appropriate uses of and limitations on the
21 use of generative artificial intelligence by state and local
22 governments and the private sector;

23 (g) Racial equity issues posed by generative artificial
24 intelligence systems and ways to mitigate the concerns to build
25 equity into the systems;

26 (h) Civil liberties issues posed by artificial intelligence
27 systems and civil rights and civil liberties protections to be
28 incorporated into generative artificial intelligence systems;

29 (i) Recommendations as to how the state should educate the public
30 on the development and use of generative artificial intelligence,
31 including information about data privacy and security, data
32 collection and retention practices, use of individual data in machine
33 learning, and intellectual property considerations regarding
34 generative artificial intelligence;

35 (j) Proposed state regulatory structures for the use of
36 generative artificial intelligence to require the development,
37 deployment, and use of artificial intelligence systems to:

38 (i) Retain appropriate human agency and oversight;

39 (ii) Be subject to internal and external security testing of
40 systems before public release;

1 (iii) Protect data privacy and security;

2 (iv) Ensure transparency so that consumers are informed when they
3 interact with generative artificial intelligence systems or products
4 created by generative artificial intelligence; and

5 (v) Ensure accountability, including oversight, impact
6 assessment, auditability, and due diligence mechanisms; and

7 (k) Recommendations for establishing an ongoing committee that
8 must study emerging technologies not limited to artificial
9 technology.

10 (5) The task force must hold its first meeting within 45 days of
11 final appointments to the task force and must meet at least twice
12 each year thereafter. The task force must submit reports to the
13 governor and the appropriate committees of the legislature detailing
14 its findings and recommendations. A preliminary report must be
15 delivered by December 31, 2024, an interim report by July 1, 2025,
16 and a final report by November 1, 2025. Meeting summaries must be
17 posted to the website of the attorney general's office within 30 days
18 of any meeting by the task force.

19 (6) Legislative members of the task force shall be reimbursed for
20 travel expenses in accordance with RCW 44.04.120. Nonlegislative
21 members are not entitled to be reimbursed for travel expenses if they
22 are elected officials or are participating on behalf of an employer,
23 governmental entity, or other organization. Any reimbursement for
24 other nonlegislative members is subject to chapter 43.03 RCW.

25 (7) To ensure that the task force has diverse and inclusive
26 representation of those affected by its work, task force members
27 whose participation in the task force may be hampered by financial
28 hardship and may be compensated as provided in RCW 43.03.220.

29 (8) The definitions in this subsection apply throughout this
30 section unless the context clearly requires otherwise.

31 (a) "Artificial intelligence" means a machine-based system that
32 can, for a given set of human defined objectives, make predictions,
33 recommendations, or decisions influencing real or virtual
34 environments.

35 (b) "Generative artificial intelligence" means technology that
36 can mimic human ability to learn patterns from substantial amounts of
37 data and create content based on the underlying training data, guided
38 by a user or prompt.

39 (c) "Machine learning" means a process by which an artificial
40 intelligence is fed significant volumes of data allowing the

1 artificial intelligence to learn and adapt without following explicit
2 instructions from a developer.

3 (9) This section expires June 30, 2027.

4 NEW SECTION. **Sec. 3.** This act is necessary for the immediate
5 preservation of the public peace, health, or safety, or support of
6 the state government and its existing public institutions, and takes
7 effect immediately.

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