



Artificial Intelligence: States Leading the Way

Issue and Background

- The proliferation of generative artificial intelligence (AI) continues to have a tremendous impact on how citizens interact with government at all levels and for almost all services.
- Understanding this, states have not waited for federal action before developing their own robust strategies to govern their use and deployment of AI technologies.
- The policies enacted by states thus far have been developed with input from numerous stakeholders, including citizen groups, elected representatives, private industry, thought leaders in the AI field and others.
- These policies showcase efforts to integrate AI into state government operations in a way that maximizes the benefit of this burgeoning technology, while still addressing concerns over data protection, ethical usage, cybersecurity and other harmful ramifications that can result from a misuse of AI.
- NASCIO is deeply concerned by efforts in Congress and at federal agencies to negate this progress by supporting blanket moratoriums on state laws and regulations that address this transformative technology.
- NASCIO led a successful coalition of state and local associations in urging Congress to reject attempts to stymie state efforts and has expressed concern over executive actions that also attempt to block state efforts.

Recommendations

- **Blanket bans on state efforts to cultivate sensible AI policy do not provide appropriate policy outcomes for citizen consumers of government services and will prove harmful to the responsible use of this technology in the long run.** Congress and federal agencies must work closely with states as they continue to develop AI legislation and regulations. It is imperative that federal actors consider both what states have already done to address AI in their operations, understand how any federal law or regulation will impact state government and ensure that states have the freedom to develop AI policies that meet their needs. In doing so, we can ensure that the federal government's AI policy does not create inefficient duplicative regulations, harm state efforts to develop solutions that meet their unique needs and erode citizen trust in government application of AI.
- **Provide tools and resources to states to implement AI strategies.** As with any new technology, it will take time, funding and expertise to incorporate AI effectively and efficiently into government operations. The federal government should take early and robust measures to provide states with the resources needed to ensure services are not interrupted, to train and develop the AI workforce and prevent user data from being compromised.