2026 State Artificial Intelligence Legislative Tracker

INTRODUCTION

Substantial legislative attention has been focused on artificial intelligence (AI) regulation as governments, organizations, and policymakers grapple with how to regulate the technology. Below you will find brief summaries of state legislation related to AI, categorized by three focus areas. All legislation in this tracker has been introduced in the current state legislative session. The document is divided into the following sections:

- **Civil Liberties and Consumer Protections –** Covers legislation that establishes civil protections and regulates AI use for the benefit of consumers.
- **Restrictions on Developers –** Covers legislation that pertains to owners, operators, and developers of AI systems.
- **Employment and Internal Company Use –** Covers legislation that relates to the use of AI in hiring and in the workplace, as well as technological displacement.
- **Healthcare and Insurance –** Covers legislation that pertains to the use of AI in healthcare, namely regarding utilization review, prior authorization, and claim denials.

*Please note, this tracker is carefully curated to reflect select topics and does not represent <u>all</u> AI-related legislation introduced. Additionally, the tracker only contains legislation from five states which have emerged as leaders on this front: **California, Illinois, Massachusetts, New York,** and **Virginia**.*

QUICK LINKS

ENACTED LEGISLATION

Civil Liberties and Consumer Protections

Restrictions on Developers

Employment and Internal Company Use

Healthcare and Insurance

RELEVANT LEGISLATION FROM CURRENT SESSION

I.   Civil Liberties and Consumer Protections

State	Bill Number	Bill Status	Relevant Provisions
New York	Prohibits food service establishments from using a dynamic pricing model in determining the prices on its menu. (A 3437)	Introduced	Prohibits food service establishments from using a dynamic pricing model, including via AI-enabled pricing adjustments, in determining the prices on its menu. Requires fixed prices to be published on a food service establishment's menu.
New York	Establishes the crime of unlawful dissemination or publication of a fabricated photographic, videographic, or audio record. (A 1280)	Introduced	Establishes the crime of unlawful dissemination or publication of a fabricated photographic, videographic, or audio record with intent to cause harm as a class E felony.
New York	Establishes privacy and publicity rights for likenesses altered using artificial intelligence. (S 8721)	Introduced	Creates penalties for using likenesses altered or created by AI for commercial gain. Establishes a private right of action for the unlawful dissemination of still or video images generated by AI.
New York	Requires publishers of books created with the use of generative artificial intelligence to contain a disclosure of such use. (A 1509 / S 1815)	Introduced	Requires publishers of books created wholly or partially with the use of generative AI to disclose such use on the cover of the book. Applies to all printed and digital books consisting of text, pictures, audio, puzzles, games or any combination thereof.
New York	Regulates the use of artificial intelligence in aiding decisions on rental housing and loans. (A 3930)	Introduced	Requires landlords who use AI tools for applicant screening to adhere to specific requirements, including notifying the applicant of the use of the tool, conducting annual disparate impact testing, and releasing public summaries of these analyses. Requires banks to adhere to similar requirements if using AI in automated loan decision-making, with the difference of sending analysis summaries to the Attorney General rather than public release. Prohibits using a price algorithm to set rent.
New York	New York Artificial Intelligence Bill of Rights. (A 3265)	Introduced	Enacts the New York AI artificial intelligence bill of rights to provide residents of the state with rights and protections to ensure that any system making decisions without human intervention impacting their lives do so lawfully, properly, and with meaningful oversight. Rights and protections included are the right to safe and effective systems; protections against algorithmic discrimination; agency over one's data; the right to know when an automated system is being used and to understand how and why an automated system contributed to an outcome; and the right to opt out of an automated system and to work with a human instead.

New York	Requires search engines inform users when showing information which was generated using artificial intelligence. (A 9091)	Introduced	Mandates that search engines must notify users when displaying AI-generated content.
New York	New York Artificial Intelligence Consumer Protection Act. (A 768 / S 1962)	Introduced	Regulates the use of high-risk AI decision systems across various industries, including finance, healthcare, education, insurance, and employment. It seeks to prevent algorithmic discrimination by requiring developers and deployers to implement comprehensive risk management policies and conduct regular impact assessments.
New York	Relates to use of virtual agents and AI tools in property searches. (A 9028)	Introduced	Imposes certain requirements on real estate brokers and online housing platforms that use virtual agents, including conducting an annual disparate impact analysis and avoiding targeted advertising related to protected characteristics. Requires analysis results be submitted to the Attorney General's office and made publicly available.
New York	Establishes the crime of aggravated harassment by means of electronic or digital communication and provides for a private right of action for the unlawful dissemination or publication of deep fakes. (A 6293 / S 6278)	Introduced	Prohibits production or dissemination of material, a picture, image, or deep fake, into which the image of a person is digitally incorporated into the image of another for no other legitimate purpose other than to cause harassment, annoyance or alarm of the person. Creates a private right of action for publication or dissemination of an intimate or sexually explicit image or deep fake.
New York	Relates to the use of automated decision tools by landlords for making housing decisions. (A 3125A / S 6471A)	Introduced	Mandates an annual disparate impact analysis for landlords using automated housing decision making tools to screen applicants for housing. Landlords are also required to notify applicants at least 24 hours prior to the use of any automated tool and inform applicant of the characteristics used in assessment of the applicant and type of data collected.
New York	Relates to the use of automated lending decision-making tools by banks for the purposes of making lending decisions. (A 773B / S 8115B)	Introduced	Mandates covered entities which use automated lending decision-making tools to conduct an annual impact assessment and publish a report summarizing the assessment's initial results on their website prior to implementation. Imposes additional reporting and information sharing obligations.
New York	Right to Your Own Image Act. (A 3924)	Introduced	Makes it a misdemeanor to use for advertising or trade, the name, portrait, picture, likeness, or voice of any living person without obtaining their consent, including those materials created or altered by digitization, which includes AI.
New York	Relates to requiring advertisements to disclose the use of a synthetic performer. (S 1228C)	Introduced	Requires advertisements to disclose the use of a synthetic performer. Imposes a $1,000 civil penalty for a first violation and a $5,000 penalty for any subsequent violation.

State	Bill Number	Bill Status	Relevant Provisions
New York	Protecting Consumers and Jobs From Discriminatory Pricing Act. (A 9396 / S 8616)	Introduced	Prohibits the use of electronic shelving labels, digital shelf display technology, and personalized algorithmic pricing in food and drug retail establishments.

II. Restrictions on Developers

State	Bill Number	Bill Status	Relevant Provisions
California	Toys: companion chatbots. (SB 867)	Introduced	Prohibits, until 2031, the manufacture, sale, exchange, possession with intent to sell or exchange, and exposition or offer for sale or exchange to a retailer a toy, as defined, that includes a companion chatbot.
New York	Requires the collection of oaths of responsible use from users of certain generative or surveillance advanced artificial intelligence systems. (A 1342)	Introduced	Requires operators of generative or surveillance advanced AI systems to collect oaths from users affirming their responsible use of these services.
New York	New York Artificial Intelligence Act. (A 8884 / S 1169)	Introduced	Regulates the development and use of certain AI systems to prevent algorithmic discrimination. Requires independent audits of high-risk AI systems and provides for enforcement by the attorney general and a private right of action.
New York	Advanced Artificial Intelligence Licensing Act. (A 3356)	Introduced	Establishes regulations for advanced AI systems, including registration and licensing of high-risk advanced AI systems, establishes the Advanced Artificial Intelligence Ethical Code of Conduct, and prohibits the development and operation of certain AI systems.
New York	Relates to artificial intelligence companion models. (A 6767)	Introduced	Prohibits the provision of an AI companion to a user unless such AI companion contains a protocol for addressing possible suicidal ideation or self-harm, possible physical harm to others, and possible financial harm to others expressed by a user. Requires certain notifications to certain users regarding crisis service providers and the non-human nature of such companion models.
New York	Artificial Intelligence Training Data Transparency Act. (A 6578 / S 6955)	Introduced	Requires developers of generative AI models or services to post on the developer's website information regarding the data used by the developer to train the generative AI model or service, including a high-level summary of the datasets used in the development of such system or service.
New York	Requires warnings on generative artificial intelligence systems. (A 3411B / S 934A)	Introduced	Requires the owner, licensee, or operator of a generative AI system to conspicuously display a warning on the system's user interface that is reasonably calculated to

State	Bill Number	Bill Status	Relevant Provisions
			consistently apprise the user that the outputs of the generative AI system may be inaccurate.
New York	Understanding Artificial Intelligence Responsibility Act. (A 8833)	Introduced	Provides that developers of covered models are strictly liable for certain injuries.
New York	Stop Deep-Fakes Act. (A 6540C / S 6954A)	Introduced	Requires providers of synthetic content creation systems to include provenance data with any synthetic content they produce or modify.
New York	Relates to liability for misleading, incorrect, contradictory or harmful information provided to a user by a chatbot. (A 222A / S 5668)	Introduced	Establishes liability for chatbot proprietors regarding the accuracy of information provided to users. Requires disclosure to users that they are interacting with an AI chatbot.
New York	Imposes liability for damages caused by a chatbot impersonating certain licensed professionals. (A 6545A / S 7263)	Introduced	Prohibits a chatbot from giving substantive responses, information, or advice or from taking any action which, if taken by a natural person, would constitute criminal unauthorized practice or use of a professional title in relation to professions whose licensure is governed by the New York education law or the judiciary law. Requires chatbot providers to provide notice to users that they are interacting with an AI chatbot program.
New York	Relates to transparency and safety requirements for developers of artificial intelligence models. (A 9449 / S 8828)	Introduced	Requires large frontier model developers to write, implement, comply with, and clearly and conspicuously publish on their websites a frontier AI framework that applies to the developer's frontier models and describes in detail how the developer handles certain specified topics, including incorporation of standards and risk mitigation efforts. Requires the establishment of an office for oversite of AI model developer transparency and reporting, including the establishment of a critical safety incident reporting mechanism for frontier developers.

III.   Employment and Internal Company Use

State	Bill Number	Bill Status	Relevant Provisions
New York	Robot Tax Act. (A 3719)	Introduced	Introduces a tax surcharge on corporations that replace workers with technology.
New York	Prohibits transcripts being made from video conference meetings by artificial intelligence without conspicuous disclosure during such meeting. (S 8459)	Introduced	Prohibits transcripts being made from video conference meetings by AI without conspicuous disclosure during such meeting that such meeting may be transcribed by AI.

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New York	Relates to requiring responsible capability scaling policies. (A 6656)	Introduced	Requires certain entities that utilize AI to establish and file responsible capability scaling policies with the chief information officer.
New York	Requires employers and employment agencies to notify candidates for employment if machine learning technology is used to make hiring decisions. (A 1952)	Introduced	Requires employers and employment agencies to notify candidates for employment if machine learning technology is used to make hiring decisions prior to the use of such technology.
New York	Excludes a production using artificial intelligence or autonomous vehicles in a manner which results in the displacement of employees from the definition of qualified film. (A 6180 / S 6751)	Introduced	Excludes a production using AI or autonomous vehicles in a manner which results in the displacement of employees whose salaries are qualified expenses from the definition of qualified film for the purposes of the empire state film production credit.
New York	New York Workforce Stabilization Act. (A 5429A / S 1854A)	Introduced	Requires certain businesses to conduct AI impact assessments and submit assessments to the Department of Labor prior to the implementation of AI tools. Establishes a surcharge on corporations that use AI or data mining or have greater than a threshold number of employees displaced by AI of a rate of 2% of the corporation's business income base; defines data mining.
New York	Relates to restricting the use of electronic monitoring and automated employment decision tools. (S 185A)	Introduced	Restricts employers' use of electronic monitoring tools unless certain requirements are met. Requires employers to provide notices to employees regarding electronic monitoring and allow employees to review and request corrections to their data. Requires impact assessments for employers' automated decision tools and notification to employees and candidates in advance of any employment decisions based on electronic monitoring data.
New York	Relates to the use of automated employment decision-making tools and artificial intelligence systems by certain state and local entities; repealer. (A 9487 / S 8831)	Passed Assembly	Requires any covered entity that utilizes an automated employment decision-making tool to publish a list of such tools on their website. Mandates the implementation of AI systems shall not affect existing employee rights under collective bargaining agreements, nor lead to the discharge, displacement, or loss of positions for employees. Repeals certain provisions of the state technology law.
New York	Establishes criteria for the sale of automated employment decision tools. (A 3914)	Introduced	Establishes criteria for the use of automated employment decision tools, including an annual disparate impact analysis and summary report to the Department of Labor.
New York	Establishes criteria for the sale of automated employment decision tools. (S 4394A)	Introduced	Establishes criteria for the use of automated employment decision tools, including an annual impact assessment. Establishes requirements for the developers of automated decision tools, including providing deployers of such tools with a statement outlining the

			known limitations of the tool and the type of data used to train the tool and conducting an annual impact assessment of any tool made available for sale or licensing. Requires both deployers and developers to establish an AI governance program.
New York	Requires artificial intelligence technology used in professional fields to be developed and maintained in consultation with experts in such fields. (A 9219)	Introduced	Requires AI systems intended for use in certain professions to be designed and trained with the substantive input of credentialed professionals from the relevant field.
New York	Automation Displacement Protection Act. (A 9533 / S 8589B)	Introduced	Requires any business enterprise that employs 50 or more full-time employees in the state provide no fewer than 90 days advance written notice to both affected employees and certain government officials prior to any technological displacement affecting 25 or more employees, or 25% of the workforce, whichever is less. Provides each employee affected by a technological displacement shall be entitled to a transition employment period of 90 days from the date of notice provided. Provides any covered employer that fails to comply with the notice or transition requirements shall be ineligible for state grants, loans, or tax incentives for 5 years following such violation.

IV.   *Healthcare and Insurance*

State	Bill Number	Bill Status	Relevant Provisions
New York	Relates to the use of an artificial intelligence, algorithm, or other software tool for the purpose of utilization review. (A 8556 / S 7896)	Introduced	Prescribes requirements and safeguards for the use of an AI algorithm or other software tool for the purpose of utilization review for health and accident insurance.
New York	Establishes requirements for the use of artificial intelligence, algorithm, or other software tools in utilization review and management. (A 3991)	Introduced	Establishes requirements for the use of AI in utilization review and management within health care service plans.
New York	Relates to the use of artificial intelligence for utilization review. (A 1456)	Introduced	Requires insured individuals be notified about the application of AI in the utilization review process. Mandates that insurers submit their AI algorithms and training data sets to the Department of Insurance to ensure that bias is minimized.