HB 4153   STAFF MEASURE SUMMARY

Joint Committee On Information Management and Technology

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Sub-Referral To:	Joint Committee On Ways and Means
Meeting Dates:	2/7, 2/14

WHAT THE MEASURE DOES:

House Bill 4153 creates a task force to identify terms and definitions related to artificial intelligence that may be used in laws. The measure directs the task force to report its findings on or before December 1, 2024.

REVENUE: May have revenue impact, but no statement yet issued.

FISCAL: May have fiscal impact, but no statement yet issued.

Detailed Summary:
- Establishes a thirteen (13) member Task Force on Artificial Intelligence.
- Requires the task force to examine and identify terms and definitions related to artificial intelligence that may be used for legislation.
- Directs the task force to seek input from a broad range of stakeholders, including stakeholders from institutions of higher education, consumer advocacy groups and small, medium, and large businesses affected by artificial intelligence policies.
- Requires the task force to report its findings and recommendations to the interim committee of the Legislative Assembly related to information management and technology on or before December 1, 2024.
- Directs the Legislative Policy and Research Director to provide staff support to the task force and requires all agencies of state government to assist the task force in the performance of its duties.
- Sunsets the task force on January 1, 2025.

Effective date:
- Declares an emergency and is effective on passage.

ISSUES DISCUSSED:
- The current and expected use of artificial intelligence in all aspects of government and society. Artificial intelligence has been in use for some time, is in use now, and is here to stay.
- The need for standard, commonly understood, and consistent terms and definitions for artificial intelligence in legislation. No terms or definitions related to artificial intelligence currently exist within Oregon Revised Statutes.
- Legislative activity regarding artificial intelligence is accelerating across the nation and here in Oregon.
- Lack of clarity and common understanding of key terms and definitions in state statutes can lead to confusion, uncertainty, vague and overly broad regulation, and other unintended consequences.
- The need for collaboration between legislators and variety of experts from government, industry, academia and other stakeholders to establish a shared artificial intelligence vocabulary. The belief that the Task Force proposed by the measure will provide the venue or mechanism within which that collaboration can occur.
- Potential amendment adding the Oregon Judicial Department to the Task Force proposed by the measure.
- Collaboration and discussion with the executive branch and with the State Chief Information Officer on the drafting of the measure.
- The use of artificial intelligence in Oregon's city governments. Support for the measure from the League of Oregon Cities.
- Support for the intent expressed within the measure to align terms and definitions for artificial intelligence proposed by the Task Force as closely as possible with terms and definitions used in federal rules.

- Appreciation for the involvement of Oregon's technology and business communities in the drafting of the measure. Support for the measure from the Technology Association of Oregon.
- Definitions matter and their establishment, following consultation with and input from a broad group of stakeholders and subject matter experts, should precede regulatory efforts.
- Belief that the Task Force proposed by the measure is a prudent first step to develop informed guidance and governance frameworks that will encourage and empower the responsible and transparent use of AI in the state of Oregon. Support for the measure from the Alliance for Digital Innovation.
- Support from TechNet with a request for an amendment to name TechNet as a Task Force member within the measure.
- Concern from committee members about naming specific private or non-profit organizations and associations within the measure.

EFFECT OF AMENDMENT:

No amendment.

BACKGROUND:

Artificial intelligence (AI) systems and solutions have the potential to transform government operations. Some state governments are already seeing the benefits of AI and are embracing this emerging technology for new uses and pilot programs. Others have adopted a more cautious, risk-averse... "wait-and-see" approach. But for Oregon government to proceed with confidence, foundational building blocks need to be in place. One of those building blocks is a clear and commonly understood set of terms and definitions related to artificial intelligence.

In August 2023, the NCSL Task Force on Artificial Intelligence, Cybersecurity and Privacy published an online document entitled, "Approaches to Regulating Artificial Intelligence: A Primer." Within the document, the Task Force states that many "organizations and individuals have sought to define AI but no consensus has emerged on a uniform meaning. The lack of an overarching definition is challenging to lawmakers as they seek to create a regulatory framework."

The glossaries of terms and definitions related to artificial intelligence (AI) published by various public, private, and non-profit sector organizations show a concerted effort towards consistency, yet they naturally vary in focus and detail due to the diverse applications and perspectives of AI across different fields.

The National Institute of Standards and Technology (NIST) offers a glossary aimed at promoting a common understanding and effective communication in trustworthy and responsible AI, emphasizing terms related to AI risk management and governance that is designed to be flexible for all organizations and sectors. Similarly, the International Association of Privacy Professionals (IAPP) provides a glossary tailored towards AI governance, highlighting the need for a shared lexicon amongst professionals across sectors due to the rapid evolution of AI technologies and their governance requirements.

The U.S. General Services Administration (GSA) provides a focused list, and associated definitions, of key AI terminology as part of its AI Guide for Government. Conversely, the Brookings Institution's glossary covers a wide range of AI and emerging technologies with an aim to help readers develop a better grasp of AI and its many applications, with a focus on AI literacy. While Nesta, a UK-based innovation foundation, offers a glossary that includes common types of AI and their uses, reflecting its focus on practical implications and societal impact of AI technologies.

These efforts illustrate a landscape where there is a significant attempt at creating overlapping understandings of AI terms, but the specific focus areas of each glossary can lead to differences in definitions and emphasis. This diversity in glossaries underscores the multifaceted nature of AI and the need for interdisciplinary approaches to understand and govern it effectively. While there is a push towards standardization to ensure clarity and

consistency, the evolving nature of AI technology itself necessitates continuous updates and dialogue among stakeholders from different sectors to reconcile varying interpretations and applications of key AI terms and definitions over time.