

Effective 5/6/2026

13-72-401 Regulatory mitigation agreements and joint interpretation agreements.

- (1) A participant who uses or wants to utilize an artificial intelligence technology in the state may apply for a regulatory mitigation agreement or a joint interpretation agreement according to criteria and procedures outlined by the office by rule made under Section 13-72-201.
- (2) The office may grant, on a temporary basis, regulatory mitigation to a participant by entering into a regulatory mitigation agreement or a joint interpretation agreement with the office and relevant agency heads or governmental entity heads.
- (3) To receive a regulatory mitigation agreement or a joint interpretation agreement, a participant must demonstrate that the participant meets eligibility criteria established in Section 13-72-402.
- (4) A regulatory mitigation agreement or a joint interpretation agreement between a participant and the office and relevant agencies or governmental entities shall specify:
 - (a) limitations on scope of the use of the participant's artificial intelligence technology, which may include:
 - (i) the number and types of users;
 - (ii) geographic limitations; and
 - (iii) other limitations to implementation;
 - (b) safeguards to be implemented;
 - (c) any regulatory mitigation granted to the applicant;
 - (d) any required disclosures to consumers; and
 - (e) reporting requirements to comply with audits from the office.
- (5) The office shall consult with relevant agencies and governmental entities regarding appropriate terms in a regulatory mitigation agreement or a joint interpretation agreement.
- (6) The office shall perform regular audits of a participant's application of artificial intelligence technology while a regulatory mitigation agreement or a joint interpretation agreement remains in effect.
- (7) A participant remains subject to all legal and regulatory requirements not expressly waived or modified by the terms of the regulatory mitigation agreement or clarified in a joint interpretation agreement.
- (8)
 - (a) The office may terminate a regulatory mitigation agreement or a joint interpretation agreement at any time and for any reason, and the participant does not have an expectation of a property right or license to participate in the learning laboratory.
 - (b) A participant using or deploying an artificial intelligence technology that violates legal or regulatory requirements or the terms of a regulatory mitigation agreement or a joint interpretation agreement may be immediately removed from further participation and subject to all applicable civil and criminal penalties.
- (9) Participation in the learning laboratory, including signing a regulatory mitigation agreement or joint interpretation agreement, does not constitute an endorsement or approval from the state.
- (10) The state shall not be responsible for any claims, liabilities, damages, losses, or expenses arising out of a participant's:
 - (a) involvement in the learning laboratory; or
 - (b) actions taken in accordance with a regulatory mitigation agreement or joint interpretation agreement.

Renumbered and Amended by Chapter 127, 2026 General Session