

Effective 5/1/2024

Chapter 72 Artificial Intelligence Policy Act

Part 1 General Provisions

13-72-101 Definitions.

As used in this chapter:

- (1) "Agency" means the same as that term is defined in Section 63G-4-103.
- (2) "Agency head" means the same as that term is defined in Section 63G-4-103.
- (3) "Artificial intelligence" means a machine-based system that makes predictions, recommendations, or decisions influencing real or virtual environments.
- (4) "Artificial intelligence technology" means a computer system, application, or other product that uses or incorporates one or more forms of artificial intelligence.
- (5) "Audit" means the same as that term is defined in Section 63G-2-103.
- (6) "Demonstration period" means the period during which:
 - (a) regulatory mitigation is in effect in accordance with the terms of a regulatory mitigation agreement; or
 - (b) joint interpretation is in effect in accordance with the terms of a joint interpretation agreement.
- (7) "Department" means the Department of Commerce.
- (8) "Director" means the director of the office.
- (9) "Executive director" means the executive director of the Department of Commerce.
- (10) "Governmental entity" means:
 - (a) the judiciary;
 - (b) a state-funded institution of higher education or public education; or
 - (c) a political subdivision of the state.
- (11) "Governmental entity head" means the individual or body with ultimate executive or administrative authority over a governmental entity.
- (12) "Joint interpretation agreement" means an agreement between a participant, the office, and a relevant agency or governmental entity that clarifies the application of a provision of state law or rule to artificial intelligence technology.
- (13) "Learning agenda" means the areas of artificial intelligence applications, risks, and policy considerations selected by the office for focus by the learning laboratory.
- (14) "Learning laboratory" means the artificial intelligence analysis and research program created in Section 13-72-301.
- (15) "Office" means the Office of Artificial Intelligence Policy created in Section 13-72-201.
- (16) "Participant" means a person seeking or holding a regulatory mitigation agreement or a joint interpretation agreement with the office.
- (17) "Political subdivision" means the same as that term is defined in Section 63G-7-102.
- (18) "Regulatory mitigation agreement" means an agreement between a participant, the office, and a relevant agency or a governmental entity described in Section 13-72-401 that:
 - (a) permits a participant to use or deploy artificial intelligence technology despite a law or rule that might impede or interfere with that use or deployment; and
 - (b)
 - (i) sets terms and conditions related to any cure period or similar remedies before penalties may be assessed;

- (ii) provides for reduced civil fines during the demonstration period; or
- (iii) sets other terms and conditions tailored to identified issues of the artificial intelligence technology, including reporting requirements and safeguards necessary for safe and successful use or deployment.

Amended by Chapter 127, 2026 General Session

Part 2

Office of Artificial Intelligence Policy

13-72-201 Creation of Office of Artificial Intelligence Policy -- Director appointed -- Duties and authority.

- (1) There is created in the department the Office of Artificial Intelligence Policy.
- (2) The executive director of the department shall appoint a director to oversee the management and operations of the office.
- (3) The office shall:
 - (a) create and administer an artificial intelligence learning laboratory program;
 - (b) consult with businesses and other stakeholders in the state about potential regulatory proposals;
 - (c) make rules in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, establishing:
 - (i) required participant disclosures to consumers;
 - (ii) reporting requirements for participants to the office;
 - (iii) criteria for limited extension of the participation period; and
 - (iv) other requirements necessary to administer the learning laboratory; and
 - (d) report annually, before November 30, to the Business and Labor Interim Committee regarding:
 - (i) the proposed learning agenda for the learning laboratory;
 - (ii) the findings, participation, and outcomes of the learning laboratory;
 - (iii) any regulatory mitigation or joint interpretation agreements executed by the office; and
 - (iv) recommended legislation from findings from the learning laboratory.
- (4) The office may develop and publish guidance and other resources, including best practices, to inform and educate Utah consumers about artificial intelligence technology.

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Part 3

Artificial Intelligence Learning Laboratory Program

13-72-301 Artificial Intelligence Learning Laboratory Program.

- (1) There is established the Artificial Intelligence Learning Laboratory Program, to be administered by the office.
- (2) The purpose of the learning laboratory is to:
 - (a) analyze and research the risks, benefits, impacts, and policy implications of artificial intelligence technologies to inform the state regulatory framework;

- (b) encourage responsible deployment of artificial intelligence technologies in the state;
 - (c) evaluate the effectiveness and viability of current, potential, or proposed regulation on artificial intelligence technologies with artificial intelligence companies; and
 - (d) produce findings and recommendations for legislation and regulation of artificial intelligence.
- (3)
- (a) The office shall periodically set a learning agenda for the learning laboratory that establishes the specific areas of artificial intelligence policy the office intends to study.
 - (b) In establishing the learning agenda, the office may consult with individuals from:
 - (i) relevant agencies;
 - (ii) governmental entities;
 - (iii) relevant industries;
 - (iv) academic institutions in the state; and
 - (v) other public or private entities with relevant knowledge, experience, or expertise in the area.
 - (c) In selecting individuals to consult with under Subsection (3)(b), the office shall consider:
 - (i) the individual's knowledge of artificial intelligence technology and applications;
 - (ii) the individual's expertise in artificial intelligence policy; and
 - (iii) the individual's relevant experience.

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Part 4

Regulatory Mitigation And Joint Interpretation Agreements

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

13-72-402 Regulatory mitigation and joint interpretation agreement eligibility requirements -- Application evaluation and admission.

- (1) To be eligible for a regulatory mitigation agreement or a joint interpretation agreement, a participant shall demonstrate to the office that:
 - (a) the participant has the technical expertise and capability to responsibly develop, implement, and use or supervise the use of the proposed artificial intelligence technology;
 - (b) the participant has sufficient financial resources to meet obligations during testing;
 - (c) the artificial intelligence technology provides potential substantial consumer benefits that may outweigh identified risks from mitigated enforcement of regulations;
 - (d) the participant has an effective plan to monitor and minimize identified risks from testing; and
 - (e) the scale, scope, and duration of proposed testing is appropriately limited based on risk assessments.
- (2) To evaluate whether a participant meets eligibility criteria to obtain a regulatory mitigation agreement or a joint interpretation agreement, the office may consult with relevant agencies, governmental entities, and outside experts regarding the application.

Renumbered and Amended by Chapter 127, 2026 General Session

13-72-403 Agreement extension.

- (1) The demonstration period for an initial regulatory mitigation agreement or a joint interpretation agreement may not exceed 12 months.
- (2) A participant may request a 12-month extension of the demonstration period for any regulatory mitigation agreement or joint interpretation agreement no later than 30 days before the end of the ongoing demonstration period.

- (3) The office shall grant or deny an extension request before expiration of an ongoing demonstration period.
- (4) The office may grant up to two extensions for any regulatory mitigation or joint interpretation agreement.

Renumbered and Amended by Chapter 127, 2026 General Session