1	State of Arkansas
2	95th General Assembly
3	Regular Session, 2025

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A Bill

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HOUSE BILL 1958

5 By: Representative S. Meeks

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For An Act To Be Entitled

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9   AN ACT TO REQUIRE PUBLIC ENTITIES TO CREATE A POLICY

10   CONCERNING THE AUTHORIZED USE OF ARTIFICIAL

11   INTELLIGENCE; AND FOR OTHER PURPOSES.

<center>

Subtitle

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15   TO REQUIRE PUBLIC ENTITIES TO CREATE A

16   POLICY CONCERNING THE AUTHORIZED USE OF

17   ARTIFICIAL INTELLIGENCE.

19 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

21   SECTION 1. Arkansas Code § 25-1-128(a) — (e), as amended by Acts 2025,

22 No. 205, concerning the creation of a policy regarding use of technology

23 resources and cybersecurity by public entities, are amended to read as

24 follows:

25   (a) As used in this section:

26   (1) "Artificial intelligence" means a machine-based system that

27 can, based on a given set of human-defined objectives, make predictions,

28 recommendations, or decisions influencing a real or virtual environment;

29   (2) "Automated decision tool" means a system or service that

30 uses artificial intelligence and has been specifically developed and

31 marketed, or specifically modified, to make or to be a controlling factor in

32 making consequential decisions;

33   (1)(3) "Employee" means a person employed by a public entity;

34   (2)(4) "Public entity" means an instrumentality funded in whole

35 or in part by taxpayer funds, including without limitation:

36   (A) The Department of Agriculture;

1	(B)	The Department of Commerce;
2	(C)	The Department of Corrections;
3	(D)	The Department of Education;
4	(E)	The Department of Energy and Environment;
5	(F)	The Department of Finance and Administration;
6	(G)	The Department of Health;
7	(H)	The Department of Human Services;
8	(I)	The Department of Inspector General;
9	(J)	The Department of Labor and Licensing;
10	(K)	The Department of the Military;
11	(L)	The Department of Parks, Heritage, and Tourism;
12	(M)	The Department of Public Safety;
13	(N)	The Department of Transformation and Shared

14 Administrative Services;

15	(O)	The Department of Veterans Affairs;
16	(P)	The office of a constitutional officer;
17	(Q)	A political subdivision of the state;
18	(R)	A public school district;
19	(S)	A public school district board of directors;
20	(T)	An open-enrollment public charter school;
21	(U)	An institution of higher education;
22	(V)	The State Highway Commission;
23	(W)	The Arkansas Department of Transportation; or
24	(X)	The Arkansas State Game and Fish Commission;

25   ~~(3)~~(5) "State educational entity" means an entity with an
26 educational purpose that is funded in whole or in part by taxpayer funds that
27 is, including without limitation:

28	(A)	A public school district;
29	(B)	A public school district board of directors; and
30	(C)	An open-enrollment charter school;

31   ~~(4)~~(6) "State entity" means:

32	(A)	The Department of Agriculture;
33	(B)	The Department of Commerce;
34	(C)	The Department of Corrections;
35	(D)	The Department of Education;
36	(E)	The Department of Energy and Environment;

1	(F)	The Department of Finance and Administration;
2	(G)	The Department of Health;
3	(H)	The Department of Human Services;
4	(I)	The Department of Inspector General;
5	(J)	The Department of Labor and Licensing;
6	(K)	The Department of the Military;
7	(L)	The Department of Parks, Heritage, and Tourism;
8	(M)	The Department of Public Safety;
9	(N)	The Department of Shared Administrative Services;
10	(O)	The Department of Veterans Affairs;
11	(P)	The State Highway Commission;
12	(Q)	The Arkansas Department of Transportation;
13	(R)	The Arkansas State Game and Fish Commission; and
14	(S)	An institution of higher education; and

15 ~~(5)~~(7) "Technology resources" means:

16 (A) The machines, devices, and transmission facilities
17 used in information processing, including computers, word processors,
18 terminals, telephones, cables, software, and related products;

19 (B) The devices used to process information through
20 electronic capture, collection, storage, manipulation, transmission,
21 retrieval, and presentation of information in the form of data, text, voice,
22 or image and includes telecommunications and office automation functions;

23 (C) Any component related to information processing and
24 wired and wireless telecommunications, including data processing and
25 telecommunications hardware, software, services, planning, personnel,
26 facilities, and training;

27 (D) The procedures, equipment, and software that are
28 designed, built, operated, and maintained to collect, record, process, store,
29 retrieve, display, and transmit information, and the associated personnel,
30 including consultants and contractors; and

31 (E) All ~~electronic mail~~ email accounts issued by a public
32 entity.

33 (b) A public entity shall:

34 (1) Create a technology resources policy that defines the
35 authorized use of technology resources for the public entity;

36 (2)(A) Develop a cybersecurity policy for all technology

1   resources of the public entity based on the standards and guidelines set by
2   the State Cybersecurity Office.
3   (B) Subdivision (b)(2)(A) of this section shall not apply
4   to political subdivisions of the state; ~~and~~
5   (3) Create an artificial intelligence and automated decision
6   tool policy that:
7   (A) Defines the authorized use of artificial intelligence
8   and automated decision tools for the public entity; and
9   (B) Requires an authorized human employee or designee to
10   make any final decision in the course of his or her employment, regardless of
11   what artificial intelligence or automated decision tool the employee or
12   designee recommends; and
13   ~~(3)~~(4)(A) Develop a training program for all employees of the
14   public entity concerning the technology resources policy, ~~and~~ the
15   cybersecurity policy, and the artificial intelligence and automated decision
16   tool policy, including training on the appropriate use of artificial
17   intelligence and automated decision tools in deciding an outcome in the
18   course of an employee's employment.
19   (B) A political subdivision of the state is not required
20   to develop a training program under this section for a cybersecurity policy.
21   (c)(1) The technology resources policy and artificial intelligence and
22   automated decision tool policy for each state entity shall be available to
23   the public upon request.
24   (2) The Department of Education, in coordination with the State
25   Cybersecurity Office, shall:
26   (A) Develop technology resources and artificial
27   intelligence and automated decision tool policies that shall be used by each
28   type of state educational institution; and
29   (B) Make the policies developed under subdivision
30   (c)(2)(A) of this section available to the public upon request.
31   (d) Each technology resources and artificial intelligence and
32   automated decision tool policy shall include prohibitions on the use of a
33   public entity's technology resources and artificial intelligence and
34   automated decision tools, including without limitation that a public entity's
35   technology resources shall not be used to:
36   (1) Express a personal political opinion to an elected official

1 unless the opinion is:

2   (A) Within the scope of the employee's regular job duties;

3 or

4   (B) Requested by an elected official or public entity;

5   (2) Engage in lobbying an elected official on a personal opinion

6 if the employee is not a registered lobbyist for the public entity;

7   (3) Engage in illegal activities or activities otherwise

8 prohibited by federal law or state law; or

9   (4) Intentionally override or avoid the security and system

10 integrity procedures of the public entity.

11   (e) A public entity shall create a disciplinary procedure for a

12 violation of the public entity's technology resources <u>and artificial</u>

13 <u>intelligence and automated decision tool</u> policy concerning authorized use of

14 technology resources.

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