

1 STATE OF OKLAHOMA

2 2nd Session of the 60th Legislature (2026)

3 COMMITTEE SUBSTITUTE
4 FOR

5 HOUSE BILL NO. 3545

By: Maynard, Hildebrant, Olsen,
Pae, and Alonso-Sandoval of
the House

6 and

7 Alvord of the Senate

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10 COMMITTEE SUBSTITUTE

11 An Act relating to technology; providing definitions;
12 clarifying applicability of act; establishing
13 prohibited uses of artificial intelligence system
14 (AI) by state agencies; establishing allowed uses of
15 AI and applicable restrictions; directing state
16 agencies to take action and report compliance to the
17 Office of Management and Enterprise Services (OMES);
18 requiring future AI systems comply with act;
19 directing OMES to provide report on AI systems used
20 by state agencies; providing for codification; and
21 providing an effective date.

22 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

23 SECTION 1. NEW LAW A new section of law to be codified
24 in the Oklahoma Statutes as Section 200 of Title 75A, unless there
is created a duplication in numbering, reads as follows:

A. As used in this act:

1 1. "Artificial intelligence system" or "AI" means a machine-
2 based system that, for explicit or implicit objectives, infers from
3 the input it receives how to generate outputs, such as predictions,
4 content, recommendations, or decisions, that can influence a
5 physical or virtual environment, with varying levels of autonomy and
6 adaptiveness after deployment. The term "artificial intelligence
7 system" or "AI" does not include robotic process automation or other
8 systems whose behavior is defined solely by human-defined rules to
9 automatically execute operations;

10 2. "Deepfake" means a video of a person in which their face or
11 body has been digitally altered so that they appear to be someone
12 else, they appear to be saying something that they have never said,
13 or they appear to be doing something that they have never done. A
14 deepfake is typically used maliciously or to spread false
15 information;

16 3. "Generative artificial intelligence system" or "GenAI
17 system" means an artificial intelligence system that is designed to
18 generate synthetic content, including text, images, video, audio, or
19 other media, in response to prompts or other inputs. A generative
20 artificial intelligence system does not include software that
21 performs basic formatting, grammar correction, translation, or other
22 assistive editing functions that do not materially generate new
23 substantive content;

1 4. "High-risk AI decision" means an automated determination,
2 classification, scoring, or recommendation generated in whole or in
3 part by an artificial intelligence system that:

- 4 a. is used as the primary basis for a final agency action
5 affecting an individual's legal rights, eligibility
6 for government benefits or services, imposition of
7 civil penalties, or legal obligations,
- 8 b. results in a substantial and non de minimis impact,
9 and
- 10 c. is not subject to meaningful human review prior to
11 implementation, and

12 5. "State agency" means any department, commission, board,
13 institution, bureau, office, law enforcement agency, or other
14 entity, by whatever name called, including the legislative and
15 judicial branches of state government, established in the state
16 constitution, statutes, session laws, or executive orders.

17 B. This act shall apply to all computer systems operated by any
18 state agency, except for systems used in research by state-funded
19 institutions of higher learning. Also excepted are installed
20 consumer systems in common personal use, including, but not limited
21 to, facial recognition used to unlock a smartphone.

22 C. The following uses of AI by state agencies shall be
23 prohibited:
24

- 1 1. Cognitive behavioral manipulation of individual persons or
2 specific groups of persons;
 - 3 2. Classifying persons based on behavior, socioeconomic status,
4 or personal characteristics in a manner that results in unlawful
5 discrimination prohibited by state or federal law;
 - 6 3. Real-time and remote biometric identification systems used
7 for surveillance in public spaces, such as facial recognition,
8 except when such use is conducted pursuant to a valid warrant or
9 court order, or in exigent circumstances involving a specific and
10 articulable imminent threat to life or serious bodily injury,
11 including, but not limited to, active shooter incidents or credible
12 terrorist threats; provided, that any use under exigent
13 circumstances shall be strictly limited in scope and duration to
14 address the emergency and shall be subject to post-incident
15 documentation and supervisory review by the agency; and
 - 16 4. Deepfakes when used for any deceptive or malicious purpose.
- 17 D. Use of AI by state agencies shall be allowed under the
18 following circumstances and with the following restrictions:
- 19 1. No high-risk AI decision shall take effect unless reviewed
20 and approved by a human employee or officer of the state agency who
21 has decision-making authority and is trained in and aware of the
22 limitations of the AI system;
 - 23 2. Any material produced by a generative artificial
24 intelligence system that has not been reviewed, and possibly edited

1 by a human in an appropriate responsible position, must be
2 accompanied by a disclosure that the content was generated by AI;
3 and

4 3. In all other circumstances in which a human user is
5 interacting with an AI system, either directly or indirectly, the
6 user must be informed that they are interacting with an AI system.

7 E. All state agencies shall take the following actions no later
8 than nine (9) months after the effective date of this act and report
9 their compliance with the Office of Management of Enterprise
10 Services (OMES):

11 1. Review the use of AI in their computer systems to verify
12 that they comply with the provisions of this act. Any AI system
13 that is prohibited shall be removed; and

14 2. Modify all procedures relative to any use of AI that are
15 inconsistent with this act so that these procedures are consistent
16 with the requirements of this act.

17 F. Any AI systems newly deployed by a state agency after the
18 effective date of this act shall comply with the provisions of this
19 act. All newly implemented procedures relative to any use of AI
20 that are implemented by a state agency after the effective date of
21 this act shall be consistent with the requirements of this act.

22 G. On December 1, 2026, and every year thereafter, OMES shall
23 provide to the Governor, the Speaker of the Oklahoma House of
24 Representatives, and the President Pro Tempore of the Oklahoma State

1 Senate a report summarizing AI systems identified by state agencies,
2 recording which of those systems were prohibited and removed in
3 compliance with this act, which systems are allowed according to
4 this act, and what procedures have been implemented to ensure that
5 the procurement and use of these systems will be in compliance with
6 this act. This report shall be updated annually to include new
7 systems that state agencies have purchased. All such reports shall
8 also be posted on the OMES website.

9 SECTION 2. This act shall become effective November 1, 2026.

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