

1 STATE OF OKLAHOMA

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

3 HOUSE BILL 3545

By: Maynard

7 AS INTRODUCED

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

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

17 SECTION 1. NEW LAW A new section of law to be codified

18 in the Oklahoma Statutes as Section 200 of Title 75A, unless there
19 is created a duplication in numbering, reads as follows:

20 A. As used in this act:

21 1. "Artificial intelligence" or "AI" means the ability of a
22 machine to display human-like capabilities for cognitive tasks such
23 as reasoning, learning, planning, and creativity. AI systems can
24 adapt their behavior to a certain degree by analyzing the effects of

1 previous actions and operating under varying and unpredictable
2 circumstances without significant human oversight;

3 2. "Deepfake" means a video of a person in which their face or
4 body has been digitally altered so that they appear to be someone
5 else, they appear to be saying something that they have never said,
6 or they appear to be doing something that they have never done. A
7 deepfake is typically used maliciously or to spread false
8 information;

9 3. "Generative AI" means AI that can generate text, images, or
10 other media in response to prompts; and

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

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

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

23 1. Cognitive behavioral manipulation of individual persons or
24 specific groups of persons;

1 2. Classifying persons based on behavior, socioeconomic status,
2 or personal characteristics resulting in:

- 3 a. unlawful discrimination against any individual person
4 or group of persons, or
5 b. unlawful disparate impact on any individual person or
6 group of persons resulting in the denial of rights,
7 benefits, or legal protections otherwise guaranteed by
8 law;

9 3. Real-time and remote biometric identification systems used
10 for surveillance in public spaces, such as facial recognition,
11 except when used to locate a missing or abducted person; and

12 4. Deepfakes when used for any deceptive or malicious purpose.

13 D. Use of AI by state agencies shall be allowed under the
14 following circumstances and with the following restrictions:

15 1. If an AI system produces a recommendation or a decision, and
16 this recommendation or decision once implemented or executed cannot
17 be reversed, then the recommendation or decision must be reviewed by
18 a human who is in an appropriate responsible position and is aware
19 of the limitations of the AI system before the recommendation or
20 decision takes effect;

21 2. A recommendation and decision pertains to, but are not
22 limited to, the following:

- a. situations in which limitations on rights and freedoms of an individual person or group of persons are determined,
 - b. biometric identification to verify the identity of an individual person,
 - c. management and operation of critical infrastructure,
 - d. actions taken by law enforcement at the state and local levels, and
 - e. interpreting and applying the laws of the state, including sentencing;

3. Any material produced by generative AI that has not been reviewed, and possibly edited by a human in an appropriate responsible position, must be accompanied by a disclosure that the content was generated by AI; and

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

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

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

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

4 F. Any AI systems newly deployed by a state agency after the
5 effective date of this act shall comply with the provisions of this
6 act. All newly implemented procedures relative to any use of AI
7 that are implemented by a state agency after the effective date of
8 this act shall be consistent with the requirements of this act.

9 G. On December 1, 2026, and every year thereafter, OMES shall
10 provide to the Governor, the Speaker of the Oklahoma House of
11 Representatives, and the President Pro Tempore of the Oklahoma State
12 Senate a report summarizing AI systems identified by state agencies,
13 recording which of those systems were prohibited and removed in
14 compliance with this act, which systems are allowed according to
15 this act, and what procedures have been implemented to ensure that
16 the procurement and use of these systems will be in compliance with
17 this act. This report shall be updated annually to include new
18 systems that state agencies have purchased. All such reports shall
19 also be posted on the OMES website.

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

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