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| 1 | **HOUSE BILL NO. 1642** |
| 2 | AMENDMENT IN THE NATURE OF A SUBSTITUTE |
| 3 | (Proposed by the Senate Committee for Courts of Justice |
| 4 | on February 12, 2025) |
| 5 | (Patron Prior to Substitute—Delegate Hayes) |

6 *A BILL to amend the Code of Virginia by adding in Title 19.2 a chapter numbered 1.3, consisting of a section*
7 *numbered 19.2-11.14, relating to use of artificial intelligence-based tool.*
8 **Be it enacted by the General Assembly of Virginia:**
9 **1. That the Code of Virginia is amended by adding in Title 19.2 a chapter numbered 1.3, consisting of a**
10 **section numbered 19.2-11.14, as follows:**
11 *CHAPTER 1.3.*
12 *ARTIFICIAL INTELLENCE-BASED TOOLS.*
13 *§ 19.2-11.14. Use of artificial intelligence-based tool.*
14 *A. As used in this section, "artificial intelligence-based tool" means any machine-based system or*
15 *algorithm, including machine learning models, predictive analytics, and decision support systems, that*
16 *analyze data and generate recommendations or predictions.*
17 *B. All decisions related to the pre-trial detention or release, prosecution, adjudication, sentencing,*
18 *probation, parole, correctional supervision, or rehabilitation of criminal offenders shall be made by the*
19 *judicial officer or other person charged with making such decision. No such decision shall be made solely on*
20 *the basis of a recommendation or prediction of an artificial intelligence-based tool. The use of any such tool,*
21 *recommendation, or prediction shall be subject to any challenge or objection permitted by law.*

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