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Bill Number: HB1170   **Patron:**   Carroll

Bill Title: Department of Criminal Justice Services; law-enforcement agencies and sheriff's departments; policy on use of covered artificial intelligence systems.

Bill Summary: Requires the Department of Criminal Justice Services to establish a model policy for the use of a covered artificial intelligence system, defined in the bill, by any state or local law-enforcement agency or sheriff's department by October 1, 2026. The bill also requires each local law-enforcement agency and sheriff's department and the Department of State Police to establish and adopt a written policy for the use of a covered AI system by such agency or department that meets or exceeds the model policy established by the Department of Criminal Justice Services by January 1, 2027. The bill requires such policies be publicly available on the law-enforcement agency's or sheriff's department's website.

Budget Amendment Necessary: Yes   **Items Impacted:**   391

Explanation: Additional one-time funding is needed for subject matter expert consultants. One position and funding to support the position are needed to develop and maintain the model policy. Ongoing funding is needed for training and conferences.

Fiscal Summary: This legislation would require the Department of Criminal Justice Services (DCJS) to establish a publicly available model policy governing the use of artificial intelligence (AI) systems used in law-enforcement investigations that includes technologies that perform biometric identification; forensic DNA phenotyping; forensic investigative genetic genealogy; cross-camera tracking or other artificial intelligence-enabled location tracking; vehicle surveillance or tracking, including automated license plate readers; anomaly detection; gunshot detection; person-based predictive policing; risk scoring; behavioral analysis; sentiment analysis; convoy analysis; fraud detection; analysis of financial transactions; mobile device forensic tools; artificial intelligence-enabled data integration and analytics platforms; and social network or social media analysis. The model policy would also detail the prohibition of AI systems to target individuals based on protected characteristics except as part of a specific subject description, requiring the disclosure of AI use in criminal investigations when applicable, and note that violations may result in administrative discipline.

According to DCJS, the agency anticipates $250,000 in one-time expenses to employ the services of relevant subject matter experts $175,392 annually and one position to develop and maintain the model policy, and $25,000 annually for ongoing training and conferences.

According to the Department of State Police (VSP), the proposed legislation is not expected to have a material fiscal impact on agency operations.

Any impact to local law enforcement agencies and sheriffs' departments is not known at this time.

Department of Planning and Budget
2026 General Assembly Session
State Fiscal Impact Statement

General Fund Expenditure Impact:

Agency	FY2026	FY2027	FY2028	FY2029	FY2030	FY2031
DCJS		$450,392	$200,392	$200,392	$200,392	$200,392
TOTAL		**$450,392**	**$200,392**	**$200,392**	**$200,392**	**$200,392**

Position Impact:

Agency	FY2026	FY2027	FY2028	FY2029	FY2030	FY2031
DCJS		1	1	1	1	1
TOTAL		**1**	**1**	**1**	**1**	**1**

Fiscal Analysis: According to DCJS, current staffing is not adequate to absorb the responsibilities outlined in this bill, as the agency does not presently employ subject matter experts with the technical background necessary to develop comprehensive AI policies. DCJS anticipates a one-time cost of $250,000 in order to gather relevant subject matter experts in these diverse and highly technical fields.

DCJS also anticipates that the agency would need to hire an individual who is subject matter expert in the complex field of AI usage in law enforcement to create reasonable policies and procedures as outlined in the bill. DCJS anticipates the need for one specialist, knowledgeable in AI and its applicability in law enforcement, who would be responsible for developing, maintaining, and updating a model policy in conjunction with AI consultants. The field of AI is rapidly evolving, and DCJS would need to be able to access this expertise to keep the model policy current. The estimated annual cost of the position is $175,392, including an annual salary of $120,000 and benefits of $55,392.

Additionally, DCJS anticipates $25,000 in ongoing annual expenses for technical staff to attend training, obtain technical assistance, and confer with outside AI experts.

Other: Related to HB1261 and HB1257