

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

PUBLISHED: 1/29/2026 8:49 AM

ORIGINAL

Bill Number: HB1257

Patron: Glass

Bill Title: Law-enforcement agencies; use of certain technologies and interrogation practices; forensic laboratory accreditation.

Bill Summary: Directs the Department of Criminal Justice Services to establish a comprehensive framework for the use of generative artificial intelligence (AI), machine learning systems, audiovisual surveillance technologies, and custodial and noncustodial interrogations of adults and juveniles by law-enforcement agencies, which shall include (i) developing policies and procedures and publishing model policies for the use of generative AI, machine learning systems, and audiovisual surveillance technologies and interrogation practices and (ii) establishing compulsory minimum training standards for basic training and recertification of law-enforcement officers on the use of generative AI, machine learning systems, audiovisual surveillance technologies, and conducting interrogations. The bill provides that the Department shall establish and publish such model policies by January 1, 2027, and that all law-enforcement agencies shall adopt policies consistent with such model policies by July 1, 2027. The bill requires any person employed as a law-enforcement officer prior to July 1, 2026, to complete the training required by the bill by January 1, 2030.

The bill also prohibits local law-enforcement agencies and campus police departments from purchasing any equipment or instrument that is intended to be used in forensic laboratory analysis or any breath test device, presumptive chemical test, or presumptive mobile instrument unless such equipment, instrument, device, or test has been approved by the Department of Forensic Science or the Forensic Science Board. Such provisions of the bill have a delayed effective date of January 1, 2030.

Budget Amendment Necessary: Yes

Items Impacted: 391

Explanation: One-time funding is needed for subject matter expert consultants. Three positions and ongoing funding are needed to develop model policies, procedures, and curriculum updates. Additional ongoing funding is needed for training and conferences.

Fiscal Summary: This legislation would require the Department of Criminal Justice Services (DCJS) to establish and publish three new model policies and compulsory minimum training standards, as well as to develop various policies and procedures. It would leave in place current model policies that don't use AI technologies to carry them out. DCJS anticipates a fiscal impact to the agency because of the expansive parameters of this bill and because the agency currently lacks staff with the necessary expertise in the use of AI in law enforcement to create the standards outlined in this bill. The use of AI is a constantly evolving environment, and these model policies and training standards would require constant review and updating.

DCJS anticipates \$250,000 in one-time expenses to employ the services of relevant subject matter experts; \$453,594 annually for three new positions to develop model policies, procedures, and curriculum updates; and \$25,000 annually for ongoing training and conferences.

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

Any impact to local law enforcement agencies or campus police departments is not known at this time.

General Fund Expenditure Impact:

<u>Agency</u>	<u>FY2026</u>	<u>FY2027</u>	<u>FY2028</u>	<u>FY2029</u>	<u>FY2030</u>	<u>FY2031</u>
DCJS		\$728,594	\$478,594	\$478,594	\$478,594	\$478,594
TOTAL		\$728,594	\$478,594	\$478,594	\$478,594	\$478,594

Position Impact:

<u>Agency</u>	<u>FY2026</u>	<u>FY2027</u>	<u>FY2028</u>	<u>FY2029</u>	<u>FY2030</u>	<u>FY2031</u>
DCJS		3	3	3	3	3
TOTAL		3	3	3	3	3

Fiscal Analysis: DCJS would need to hire individuals who are subject matter experts in AI and its use in law enforcement agencies in order to create reasonable policies and procedures as required. The agency anticipates that work groups and panels of subject matter experts will need to be convened to examine and evaluate how specific AI related technologies can be applied in the field of law enforcement. Without having those subject matter experts already in place, it is not possible to determine or estimate what the new required training for law enforcement would look like and how extensive the requirements will be. This would likely be an ongoing responsibility requiring periodic additional funding because of the constantly evolving nature of AI and its applications in law enforcement and government in general. 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 \$25,000 in annual expenses for ongoing training, conferences, and other opportunities for agency AI staff to keep abreast of the evolving and changing use of technology.

The development and implementation of model policies and compulsory minimum training standards for the custodial and noncustodial interrogation of adults and juveniles would pose many of the same concerns and considerations as noted above in relation to staffing, work group development, and implantation timetables.

DCJS anticipates the need for two new positions to implement the parameters of the bill related to the use of AI by law enforcement officers. One position would need to be a specialist in AI and its applicability in law enforcement. The estimated annual cost for this position is \$175,392, including an annual salary of \$120,000 and benefits of \$55,392. A second position would be responsible for developing and updating model policies and lesson plans, as required. The estimated annual cost for this position is \$139,101, including an annual salary of \$90,000 and benefits of \$49,101.

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DCJS also anticipates the need for one position to implement the parameters of the bill related to interrogation practices. This position would be responsible for developing and updating model policies and lesson plans, as required. The estimated annual cost for this position is \$139,101, including an annual salary of \$90,000 and benefits of \$49,101. Total estimated personnel cost for all three DCJS positions is \$453,594 general fund annually.

The proposed bill would add to the regulations that must be adopted by the Forensic Science Board for approving certain equipment or instruments used by local and campus law enforcement for “forensic laboratory analysis.” By January 1, 2030, no local or campus law enforcement agency would be able to purchase such equipment that was not on the approved list. Based on the definition in the bill, there are limited options for equipment that will fall into this category. It is expected that DFS will be able to absorb these limited approvals with existing resources and that there would be no fiscal impact to DFS.

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

The new model policies and training standards related to the use of AI may also have a fiscal impact for local law enforcement agencies that would choose not to use AI in carrying out their law enforcement responsibilities. This legislation requires that all agencies adopt and train their officers in the new standards and model policies. This requirement would mean that agencies not using AI technology to support their operations would adopt and train officers in policies and standards they will not use. Currently, model policies are not required to be adopted by agencies but are left to use at the discretion of the agency. This legislation removes that discretion. Any fiscal impact to law enforcement agencies that do not use AI but are required to adopt and train on the related policies is not known at this time.

Other: This bill is similar to HB1261.