

26105299D

HOUSE BILL NO. 1295

Offered January 15, 2026

A BILL to amend the Code of Virginia by adding in Article 1 of Chapter 1 of Title 9.1 a section numbered 9.1-116.11, relating to law enforcement; artificial intelligence inventory; civil action.

Patrons—Clark and Maldonado

Referred to Committee on Communications, Technology and Innovation

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding in Article 1 of Chapter 1 of Title 9.1 a section numbered 9.1-116.11 as follows:

§ 9.1-116.11. Artificial intelligence inventory by state and local law-enforcement agencies and sheriff's departments; civil action.

A. For the purpose of this section:

"Artificial intelligence system" or "AI system" means any machine learning-based system that, for any explicit or implicit objective, infers from the inputs such system receives how to generate outputs, including content, decisions, predictions, and recommendations, that can influence physical or virtual environments. "Artificial intelligence system" does not include any artificial intelligence system or general purpose artificial intelligence model that is used for development, prototyping, and research activities before such artificial intelligence system or general purpose artificial intelligence model is made available to deployers or consumers.

"Covered AI system" means any AI system used to aid a law-enforcement investigation, including by generating a lead for further investigation or corroboration or by writing or materially aiding in writing police reports or other records relating to a criminal investigation. "Covered AI system" 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. "Covered AI system" does not include an AI system that is used for administrative tasks that do not materially impact law-enforcement investigations, such as productivity and document management tools, or generative AI technologies used to check spelling or grammar.

"Law-enforcement agency" includes any state or local law-enforcement agency or sheriff's department.

B. All law-enforcement agencies shall conduct an annual inventory of any covered AI system used by such agency and shall make such inventory publicly available by November 1 of each year. Such inventory shall include the following information for each covered AI system:

1. The name of each system, including the vendor and product name, if applicable;
2. A brief description of each system's capabilities and limitations;
3. A brief description of the types of data inputs each system uses and outputs it produces; and
4. A brief description of authorized and unauthorized uses for each system.

C. The Attorney General may investigate and, if warranted, bring a civil action against any law-enforcement agency to obtain equitable or declaratory relief to enforce the provisions of this section.

D. Any person who resides within the jurisdiction of a law-enforcement agency that is subject to the requirements of this section may bring a civil action against the law-enforcement agency to obtain equitable or declaratory relief to enforce the provisions of this section. A prevailing plaintiff shall be entitled to reasonable attorney fees and costs.

No action may be commenced against a law-enforcement agency under this section unless the plaintiff has provided written notice of the alleged violation to the agency or political subdivision at least 90 days prior to filing suit, in a manner that is reasonably calculated to enable the entity to cure the alleged violation.

INTRODUCED

HB1295