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OHIO LEGISLATIVE SERVICE COMMISSION

Office of Research
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Office

H.B. 392
136th General Assembly

Fiscal Note & Local Impact Statement

[Click here for H.B. 392's Bill Analysis](#)

Version: As Introduced

Primary Sponsors: Reps. Fischer and Demetriou

Local Impact Statement Procedure Required: No

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Highlights

- Under the bill, if state and local government entities choose to use artificial intelligence to control critical infrastructure facilities, they will likely incur costs to develop, adopt, and implement a risk management policy covering those critical infrastructure facilities.

Detailed Analysis

The bill requires any person or other entity that implements or operates an artificial intelligence (AI) system that controls a critical infrastructure facility to implement a risk management policy that conforms to certain requirements. Entities will not need to implement a risk management policy for certain uses of AI. If government entities choose to use AI to control critical infrastructure facilities, they may incur costs to develop and adopt a risk management policy. Presumably, these costs will include staff and contractors. Depending on the needs of each government entity, they may also need to purchase additional equipment or software to implement certain risk management practices. This could also involve state and local entities consulting with the Office of Information Technology (OIT) within the Department of Administration Services and CyberOhio within the Governor's Office.

Additionally, the bill prohibits a political subdivision or state agency from enacting, adopting, enforcing, or maintaining any law, rule, regulation, permit requirement, or other administrative practice that restricts or prohibits any person's lawful use, development, deployment, or possession of a computational resource unless the restriction is narrowly tailored to achieve a compelling governmental interest. A "computational resource" means any system, software, network, device, or infrastructure capable of processing, storing, transmitting, manipulating, or disseminating data or information, including hardware, software, algorithms, cryptography, artificial intelligence systems, machine learning systems, quantum computing tools, and any similar technologies.