

SB328 INTRODUCED



1 SB328

2 4UV5HII-1

3 By Senator Elliott

4 RFD: Fiscal Responsibility and Economic Development

5 First Read: 25-Feb-26



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SYNOPSIS:

Under existing law, state agencies subject to the Alabama Administrative Procedure Act are required to conduct a review of all agency rules every five years.

This bill would require all state agencies, regardless of whether the agency is subject to the Alabama Administrative Procedure Act, to conduct quarterly, artificial intelligence-assisted reviews of all rules.

This bill would require agencies to acquire or develop artificial intelligence systems capable of performing the analyses required.

This bill would require agency staff to review the recommendations of the artificial intelligence system and determine whether to implement the recommendation.

This bill would also require an agency to publish information annually regarding the artificial intelligence-assisted reviews.

A BILL
TO BE ENTITLED
AN ACT



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29
30 Relating to artificial intelligence; to require state
31 agencies to complete initial and quarterly reviews of rules
32 using artificial intelligence; to create guidelines for the
33 artificial intelligence-assisted review; to require agencies
34 to acquire or create artificial intelligence systems capable
35 of performing the review; to require human approval of any
36 determinations made by artificial intelligence systems; and to
37 require publication of certain information regarding the
38 review process.

39 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

40 Section 1. This act shall be known and may be cited as
41 the Agentic Artificial Intelligence Regulatory Review Act.

42 Section 2. For purposes of this act, the following
43 terms have the following meanings:

44 (1) AGENCY. Any department, board, commission, or other
45 entity under the executive branch authorized to adopt rules.

46 (2) AGENTIC ARTIFICIAL INTELLIGENCE. Advanced
47 artificial intelligence systems capable of autonomous analysis
48 and recommendation generation regarding regulatory
49 requirements.

50 (3) GUIDANCE DOCUMENT. Any agency statement that lacks
51 the force of law but provides direction regarding regulatory
52 compliance or interpretation.

53 (4) PLAIN LANGUAGE. Clear, concise, and well-organized
54 writing appropriate to the subject matter and intended
55 audience.

56 (5) RULE. Any regulation, standard, or requirement



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57 adopted by an agency that has the force and effect of law.

58 Section 3. (a) By April 1, 2027, each agency of this
59 state shall complete an artificial intelligence-assisted,
60 comprehensive review of all rules and guidance documents under
61 the agency's authority.

62 (b) Following the initial report required in subsection
63 (a), each agency shall conduct an artificial
64 intelligence-assisted review of the agency's rules and
65 guidance documents on a quarterly basis.

66 (c) Each agency shall acquire or develop agentic
67 artificial intelligence systems that are capable of performing
68 the analyses required by Section 4.

69 Section 4. For each rule or guidance document reviewed,
70 the agency shall use an artificial intelligence system to
71 analyze:

72 (1) Whether the requirements of the rule or guidance
73 document are discretionary or mandated by statute, federal
74 law, or another binding authority;

75 (2) Whether requirements conflict with or duplicate
76 other legal provisions;

77 (3) How requirements compare to those of neighboring
78 states and federal standards on the same issue or topic;

79 (4) Whether the text of the rule or guidance document
80 is in plain language;

81 (5) Whether there is any cost incurred due to
82 compliance with the rule or guidance document, including: (i)
83 training hours required; (ii) fees or direct costs; (iii)
84 administrative costs related to forms and paperwork; (iv) the



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85 number of persons affected by the requirements; and (v) any
86 other similar cost of compliance;

87 (6) Whether the language in the rule or guidance
88 document can be simplified without the agency materially
89 changing the rule or guidance document; and

90 (7) Whether there is an economic impact due to the rule
91 or guidance document. The artificial intelligence system shall
92 carry out a cost-benefit analysis to determine the economic
93 impact and shall determine whether costs may be saved from
94 modifications to the rule or guidance document.

95 Section 5. (a) All analyses performed by artificial
96 intelligence systems pursuant to Section 4 shall be reviewed
97 and approved by staff of the agency that has the following:

98 (1) Subject matter expertise on the matter analyzed.

99 (2) Legal or regulatory analysis experience.

100 (3) Authority to approve or reject the artificial
101 intelligence recommendations on behalf of the agency.

102 (b) Agency staff, when reviewing the analyses, shall
103 perform all of the following actions:

104 (1) Verify the factual accuracy of the analyses.

105 (2) Assess whether the recommendations made by the
106 artificial intelligence system are appropriate for
107 implementation.

108 (3) Ensure that the language of the rule, guidance
109 document, or any recommendation aligns with the statutory
110 authority and legislative intent.

111 (4) Make final determinations regarding any proposed
112 changes by the artificial intelligence system.



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113 (c) No rule may be amended or repealed based solely on
114 artificial intelligence analysis without human review and
115 approval.

116 Section 6. (a) During the initial review and quarterly
117 reviews required by Section 3, each agency shall:

118 (1) Eliminate rules or guidance documents that conflict
119 with any statutory, federal, or otherwise binding law;

120 (2) Remove duplicative or unnecessary rules or guidance
121 documents;

122 (3) Correct any text of a rule or guidance document not
123 written in plain language;

124 (4) Update outdated or unnecessarily burdensome rules
125 or guidance documents; and

126 (5) Update any incorrect citations or references.

127 (b) When agency staff, pursuant to Section 5,
128 determines that provisions identified by artificial
129 intelligence as unnecessarily burdensome shall be retained by
130 the agency, the staff shall document the public benefits
131 provided by the rule or guidance document and why less
132 burdensome alternatives are insufficient to accomplish agency
133 directives.

134 (c) If an agency is subject to the Alabama
135 Administrative Procedure Act, Sections 41-22-1 through
136 41-22-27, Code of Alabama 1975, the agency shall follow the
137 Alabama Administrative Procedure Act when adopting or amending
138 rules pursuant to this act.

139 Section 7. (a) Before September 1 each year, each
140 agency shall publish a report containing all of the following:



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141 (1) The number of rules and guidance documents
142 reviewed.

143 (2) The number of rules and guidance documents modified
144 or eliminated.

145 (3) A summary of any recommendations made by the
146 artificial intelligence system which were accepted and
147 rejected.

148 (4) An estimate of the cost savings to persons that are
149 regulated by the agency.

150 (b) Each agency shall publish the report on the
151 agency's website.

152 Section 8. This act shall become effective on October
153 1, 2026.