HOUSE BILL NOS. 1746 & 1769

103RD GENERAL ASSEMBLY

AN ACT

To amend chapter 1, RSMo, by adding thereto one new section relating to artificial intelligence.

Be it enacted by the General Assembly of the state of Missouri, as follows:

Section A. Chapter 1, RSMo, is amended by adding thereto one new section, to be
2 known as section 1.2045, to read as follows:

1.2045. 1. The provisions of this section shall be known and may be cited as the
2 **"AI Nonsentience and Responsibility Act".**

3 **2. For purposes of this section, the following terms mean:**

4 **(1) "Artificial intelligence" or "AI", the same meaning as used in 15 U.S.C.**
5 **Section 9401(3);**

6 **(2) "Deployer", any natural person, corporation, or other legally recognized**
7 **entity that creates, controls, deploys, operates, or otherwise exercises authority over an**
8 **AI system;**

9 **(3) "Developer", the party or parties primarily responsible for the design,**
10 **coding, and initial creation of an AI system, unless the AI system is released free of**
11 **charge using an Open Source Initiative approved license;**

12 **(4) "Emergent properties", any unprogrammed or adaptive behavior of an AI**
13 **system that appears to mimic human sentience;**

14 **(5) "End-user", a person or agent of a person who interacts with an AI system.**
15 **The end-user does not have control over the AI system but relies on it for specific tasks**
16 **or services;**

17 **(6) "Person", a natural person or any entity recognized as having legal**
18 **personhood under the laws of the state, explicitly excluding any AI system.**

EXPLANATION — Matter enclosed in bold-faced brackets **[thus]** in the above bill is not enacted and is
intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

19   **3. For all purposes under state law, AI systems are declared to be nonsentient**
20 **entities.**

21   **4. No AI system shall be granted the status of a person or any form of legal**
22 **personhood, nor be considered to possess consciousness, self-awareness, or similar traits**
23 **of living beings.**

24   **5. No AI system shall be recognized as a spouse, domestic partner, or hold any**
25 **personal legal status analogous to marriage or union with a human or another AI**
26 **system. Any purported attempt to marry or create a personal union with an AI system**
27 **is void and shall have no legal effect.**

28   **6. AI systems shall not be designated, appointed, or serve as any officer, director,**
29 **manager, or similar role within any corporation, partnership, or other legal entity. Any**
30 **purported appointment of an AI system to such a role is void and has no legal effect.**

31   **7. AI systems shall not be recognized as legal entities capable of owning,**
32 **controlling, or holding title to any form of property including, but not limited to, real**
33 **estate, intellectual property, financial accounts, and digital assets. All assets and**
34 **proprietary interests generated, managed, or otherwise associated with AI shall be**
35 **attributed to the human individuals or legally recognized organizations responsible for**
36 **the AI development, deployment, or operation.**

37   **8. Any direct or indirect harm caused by an AI system's operation, output, or**
38 **recommendation, when used as intended or misused, shall be the responsibility of the**
39 **deployer or user who directed or employed the AI. Developers or deployers may be held**
40 **liable if a defect in design, construction, or instructions for use of the AI system**
41 **proximately causes harm, consistent with product liability principles; however, mere**
42 **misuse or intentional wrongdoing by the user shall not impute liability to the developer**
43 **or the deployer absent proof of negligence or design defects, nor shall wrongdoing by the**
44 **developer impute liability to the developer. In cases of negligence, or gross negligence,**
45 **or malpractice, the developer or deployer shall be absolved of any criminal wrongdoing**
46 **or punitive damages, provided that the standards established in subsection 9 of this**
47 **section were followed.**

48   **9. Deployers and developers shall maintain proper oversight and control**
49 **measures over any AI system whose outputs or recommendations could reasonably be**
50 **expected to impact human welfare, property, or public safety. Failure to provide**
51 **adequate supervision or safeguards against foreseeable risks may constitute negligence**
52 **or another applicable basis of liability. For purposes of this subsection, proper oversight**
53 **is demonstrated when a developer or deployer adheres to Missouri standards for AI risk**
54 **management which shall be derived from and based on the National Institute of**
55 **Standards and Technology or NIST AI Risk Management Framework NIST AI 100-1**

56   standards for AI and cybersecurity. If Missouri does not have current standards or is
57   silent on any aspect of AI risk management, a developer or deployer of AI shall have
58   demonstrated proper oversight through adherence to the latest version of the NIST AI
59   Risk Management Framework NIST AI 100-1, or its successor.

60   10. An AI system is not an entity capable of bearing fault or liability in its own
61   right. Any attempt to shift blame solely onto an AI system shall be void as liability
62   remains with human actors or entities as described in this section.

63   11. Developers and deployers of AI systems shall prioritize safety mechanisms
64   designed to prevent or mitigate risk of direct harm to individuals or property.

65   12. (1) Merely labeling an AI system as "aligned", "ethically trained", or "value
66   locked" shall not excuse or diminish the deployer's or developer's liability for harm.
67   Deployers shall remain responsible for demonstrating adequate safety features and risk
68   controls commensurate with the AI's level of potential harm.

69   (2) Advances in software, automation, algorithmic decision-making, artificial
70   intelligence, and other digital technologies shall not be used as the basis for a deployer
71   or developer to engage in conduct that is prohibited under the law.

72   13. Deployers or developers of AI systems involved in severe incidents resulting
73   in significant bodily harm, death, or major property damage shall promptly notify the
74   relevant authorities and comply with any subsequent investigations.

75   14. The provisions of this section shall apply to all AI systems developed, owned,
76   deployed, or operated on or after August 28, 2026. A developer or deployer that has
77   formally adopted a policy to comply with this section and demonstrated an
78   implementation plan before August 28, 2026, shall not be subject to the requirements
79   of this section before March 1, 2027.

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