



February 29, 2024

Joint Committee on General Law  
Attn: Michael Shannon, Committee Clerk  
Legislative Office Building, Room 3500  
300 Capitol Avenue  
Hartford, CT 06106

## Re: S.B. 2 - An Act Concerning Artificial Intelligence

Dear Co-Chair Maroney, Co-Chair D'Agostino, and Members of the Joint Committee on General Law:

On behalf of the Computer & Communications Industry Association (CCIA), I write to respectfully raise concerns regarding S.B. 2, An Act Concerning Artificial Intelligence in advance of the February 29, 2024 hearing.

CCIA is an international, not-for-profit trade association representing a broad cross-section of communications and technology firms<sup>1</sup>. Proposed regulations on the interstate provision of digital services therefore can have a significant impact on CCIA members.

CCIA's members have engaged in responsible artificial intelligence (AI) development, through the development and application of their own responsible AI principles, conducting academic research that promotes privacy-by-design, and the hardening of AI against motivated attackers seeking to extract training data. CCIA understands lawmakers' concerns regarding the potential risks posed by artificial intelligence systems, and has published a white paper, *Understanding AI: A Guide to Sensible AI Governance* as a resource to understand how approaches to regulation can balance mitigating risks without creating barriers to innovation<sup>2</sup>.

CCIA appreciates several of the approaches that the Legislature included in its proposed legislation, including the adoption of a risks-based approach to regulation, as well as the amendment to Connecticut's existing non-consensual intimate imagery (NCII) statute language to

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<sup>1</sup> For 50 years, CCIA has promoted open markets, open systems, and open networks. CCIA members employ more than 1.6 million workers, invest more than \$100 billion in research and development, and contribute trillions of dollars in productivity to the global economy. A list of CCIA members is available at <https://www.ccianet.org/members>.

<sup>2</sup> *Understanding AI: A Guide To Sensible Governance* (June 2023)  
<https://ccianet.org/library/understanding-ai-guide-to-sensible-governance/>



bring AI-generated images within the scope of the existing law. That approach to NCII, if adopted in Connecticut, would be a model we would encourage additional states to adopt.

As the Legislature begins its deliberation of S.B. 2, CCIA would like to offer the following comments on the bill as some initial feedback.

### **Artificial intelligence systems are complex, and it is important to not include overly broad definitions.**

The AI systems that lawmakers seek to regulate are complex and warrant adequate understanding to reach intended outcomes appropriately. Within the artificial intelligence ecosystem exists a multitude of variations in which AI is utilized, including automated decision making, machine learning, and machine perception, to name a few. Each of these systems have their own nuances. For example, businesses in every industry sector employ AI to increase competitiveness and enhance their products and services, ranging from routine and low-risk applications such as filtering and spell-check to credit-scoring algorithms to generative AI models. The use of AI systems has enabled small businesses to effectively market their products to the right consumers at affordable prices and allows for better customer experience and cheaper prices. CCIA suggests including a tailored definition to reduce vagueness and to ensure that appropriate oversight is installed without hindering further AI development.

### **Liability should be limited to those who intentionally deceive, harm, or commit otherwise illegal acts.**

Due to the many applications in which AI can be used, it is important to limit liability to instances that cause harm. It is also important to consider the different entities involved in a given AI-driven model, including the developer that builds an AI system, the deployer who applies the model to a given task and the user who ultimately utilizes the system. Each of these entities could bear responsibility for outcomes arising from the use of the AI system, depending on the circumstances, but those circumstances are important to consider.

S.B. 2 would place several requirements on the developers and deployers of AI systems to prevent against algorithmic discrimination, prior to their distribution and use within Connecticut. Beyond the protections that would be installed prior to the use of an AI system, it is possible that individual users of an AI system could utilize the system in a way that could be harmful to others, without the knowledge of either the developer or deployer of such a system. As such, we suggest that the Legislature include an explicit carveout for developers and deployers of general purpose



artificial intelligence systems so that they would not face liability for user action, provided they are in compliance with their requirements under the proposed law<sup>3</sup>.

\* \* \* \* \*

CCIA appreciates the work that the Connecticut Legislature has done in the technology policy space in recent years and is encouraged by the opportunity to work with the body again as it takes up the subject of artificial intelligence.

Sincerely,

Alex Spyropoulos  
Regional Policy Manager, Northeast  
Computer & Communications Industry Association

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<sup>3</sup> A similar proposal is included in proposed Utah Legislation (S.B. 131). <https://le.utah.gov/~2024/bills/static/SB0131.html>