

Alabama | AI Policy Overview

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AI Policy Overview

Alabama legislators have yet to prioritize policies regarding artificial intelligence. However, in 2022, the legislature enacted a law ([AL SB 56](#)) governing how law enforcement agencies may use facial recognition technology. In 2024, Alabama enacted two laws targeting sexual deepfakes.

In early 2024, Governor Kay Ivey (R) signed an [executive order](#) establishing the Governor's Task Force on Generative Artificial Intelligence, with its members appointed by the governor. The membership will consist of seven cabinet members, two representatives from Alabama higher education, and four legislators, including two state representatives and two state senators. The Task Force is required to submit a report to the governor by November 30, 2024. The report will provide a detailed and accurate description of the current use of GenAI in executive-branch agencies and whether those uses pose any risk as well as policy and administrative recommendations related to the responsible deployment of GenAI in state government.

Below are the announced members of the Governor's Task Force on Generative Artificial Intelligence:

- Secretary Daniel Urquhart, OIT, Chair
- Secretary Hal Taylor, ALEA
- Commissioner Stephanie Azar, Alabama Medicaid Agency
- Director Stacia Robinson, Office of Minority Affairs
- Director Bill Poole, Department of Finance
- Secretary Fitzgerald Washington, Department of Labor
- Commissioner Vernon Barnett, Department of Revenue
- Senator Sam Givhan
- Senator Bobby Singleton
- Representative Mike Shaw
- Representative Kelvin Lawrence
- Dr. Matthew Hudnall, University of Alabama
- Dr. Hari Harayanan, Auburn University

The executive order also requires the Office of Information Technology to establish a cloud infrastructure to allow state agencies to safely and responsibly conduct GenAI pilot projects in OIT-approved environments. These environments will be available to state agencies and departments to help evaluate GenAI tools and services and inform decisions on whether and how to use GenAI.

Deepfakes

In 2024, Alabama enacted two sexual deepfake laws. The first law ([AL HB 161](#)) makes it unlawful to knowingly create, record, or alter a private image without consent, including artificially generated images if a reasonable person would believe it actually depicts an identifiable individual. The second law ([AL HB 168](#)) adds digitally created or altered visual depictions to child pornography laws. Both bills exempt from liability internet service providers, search engines, and cloud service providers if they simply provide access to the internet for such content.

Facial Recognition

In 2022, Alabama enacted a law ([AL SB 56](#)) governing how law enforcement agencies may use facial recognition technology. The law prohibits using facial recognition technology as the sole basis to make an arrest or to establish probable cause. Additionally, the law requires that in order to establish probable cause or to make an arrest, facial recognition technology can only be used in conjunction with other lawfully obtained evidence.

Legislative & Regulatory History

- **2024** - Alabama enacted [AL HB 161](#)) which makes it unlawful to knowingly create, record, or alter a private image without consent, including artificially generated images if a reasonable person would believe it actually depicts an identifiable individual.
- **2024** - Alabama enacted [AL HB 168](#)) which adds digitally created or altered visual depictions to child pornography laws.
- **2024** - Gov. Ivey issued [Executive Order 738](#) on Feb. 8, 2024, establishing a Task Force on Generative Artificial Intelligence, which will provide a report to the governor by Nov. 30, 2024, describing the current use of GenAI in executive-branch agencies and whether those uses pose any risk as well as policy and administrative recommendations related to the responsible deployment of GenAI in state government.
- **2022** - Alabama enacted [AL SB 56](#), which governs how law enforcement agencies may use facial recognition technology.