

# HOUSE BILL 996

D3, E1

3lr2148

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By: **Delegates Fraser–Hidalgo, Barve, and Reznik**

Introduced and read first time: February 10, 2023

Assigned to: Judiciary

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## A BILL ENTITLED

1 AN ACT concerning

2 **Artificial Intelligence – Implementation Causing Injury or Death – Civil and**  
3 **Criminal Liability**

4 FOR the purpose of establishing that a person who intentionally designs and creates  
5 artificial intelligence software able to cause physical injury or death is strictly liable  
6 for damages and subject to a civil penalty if the software is used to cause personal  
7 injury or death; prohibiting a person from using a physical implement that acts  
8 independently of the person but is directed by artificial intelligence software to cause  
9 injury to or death of another; and generally relating to prohibitions relating to  
10 artificial intelligence.

11 BY adding to

12 Article – Courts and Judicial Proceedings

13 Section 3–19A–01 to be under the new subtitle “Subtitle 19A. Personal Injury or  
14 Death Caused by Implementation of Artificial Intelligence Software”

15 Annotated Code of Maryland

16 (2020 Replacement Volume and 2022 Supplement)

17 BY adding to

18 Article – Criminal Law

19 Section 1–402

20 Annotated Code of Maryland

21 (2021 Replacement Volume and 2022 Supplement)

22 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,  
23 That the Laws of Maryland read as follows:

24 **Article – Courts and Judicial Proceedings**

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1     **SUBTITLE 19A. PERSONAL INJURY OR DEATH CAUSED BY IMPLEMENTATION OF**  
2                                   **ARTIFICIAL INTELLIGENCE SOFTWARE.**

3     **3-19A-01.**

4             **A PERSON WHO INTENTIONALLY DESIGNS AND CREATES ARTIFICIAL**  
5     **INTELLIGENCE SOFTWARE WITH THE CAPABILITY OF CAUSING PERSONAL INJURY**  
6     **OR DEATH IS:**

7             **(1) STRICTLY LIABLE FOR DAMAGES RESULTING FROM THE**  
8     **IMPLEMENTATION OF THE SOFTWARE TO CAUSE PERSONAL INJURY OR DEATH; AND**

9             **(2) SUBJECT TO A CIVIL PENALTY NOT EXCEEDING THE APPLICABLE**  
10    **LIMITATION ON NONECONOMIC DAMAGES UNDER § 3-2A-09 OF THIS TITLE IF**  
11    **IMPLEMENTATION OF THE SOFTWARE CAUSES PERSONAL INJURY OR DEATH.**

12                                   **Article – Criminal Law**

13    **1-402.**

14             **(A) A PERSON MAY NOT INTENTIONALLY COMMIT A CRIME THAT CAUSES**  
15    **PHYSICAL INJURY TO OR DEATH OF ANOTHER USING A PHYSICAL IMPLEMENT THAT**  
16    **ACTS INDEPENDENTLY OF THE PERSON BUT IS DIRECTED BY ARTIFICIAL**  
17    **INTELLIGENCE SOFTWARE.**

18             **(B) A PERSON WHO IS CONVICTED OF A VIOLATION OF THIS SECTION IS**  
19    **SUBJECT TO A PENALTY NOT EXCEEDING THE MAXIMUM PENALTY PROVIDED BY LAW**  
20    **FOR COMMITTING THE OFFENSE THAT THE PERSON WOULD HAVE BEEN SUBJECT TO**  
21    **IF THE PERSON HAD PHYSICALLY COMMITTED THE ACT.**

22             **SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect**  
23    **October 1, 2023.**