

STATE OF NEW YORK

8828

IN SENATE

January 8, 2026

Introduced by Sen. GOUNARDES -- read twice and ordered printed, and when printed to be committed to the Committee on Rules

AN ACT to amend the general business law, in relation to transparency and safety requirements for developers of artificial intelligence frontier models; to amend a chapter of the laws of 2025 amending the general business law relating to the training and use of artificial intelligence frontier models, as proposed in legislative bills numbers S. 6953-B and A. 6453-B, in relation to the effectiveness thereof; and to repeal certain provisions of the general business law, relating thereto

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

1 Section 1. Legislative findings and intent. The legislature finds and
2 declares all of the following:

3 1. New York is leading the world in artificial intelligence innovation
4 and research through companies large and small and through the state's
5 remarkable public and private universities.

6 2. Artificial intelligence, including new advances in foundation
7 models, has the potential to catalyze innovation and the rapid develop-
8 ment of a wide range of benefits for New Yorkers and the New York econo-
9 my, including advances in medicine, wildfire forecasting and prevention,
10 and climate modeling, and to push the bounds of human creativity and
11 capacity.

12 3. In building a robust and transparent evidence environment, policy-
13 makers can simultaneously protect consumers, leverage industry exper-
14 tise, and recognize leading safety practices.

15 4. As industry actors conduct internal research on their technologies'
16 impacts, public trust in these technologies would significantly benefit
17 from access to information regarding, and increased awareness of, fron-
18 tier AI capabilities.

19 5. Greater transparency can also advance accountability, competition,
20 and public trust.

21 6. Incident reporting systems facilitate understanding and monitoring
22 of the post-deployment impacts of artificial intelligence.

EXPLANATION--Matter in **italics** (underscored) is new; matter in brackets
[**-**] is old law to be omitted.

LBD00047-16-6

7. Unless they are developed with careful diligence and reasonable precaution, there is concern that advanced artificial intelligence systems could have capabilities that pose catastrophic risks.

4 8. While the major artificial intelligence developers have already
5 voluntarily established the creation, use, and publication of frontier
6 AI frameworks as an industry best practice, not all developers are
7 providing information that is consistent and sufficient to ensure neces-
8 sary transparency and protection of the public. Mandatory, standardized,
9 and objective disclosures by frontier developers are necessary to
10 provide the government and the public with timely and accurate informa-
11 tion.

12 9. Timely reporting of critical safety incidents to the government is
13 essential to ensure that public authorities are promptly informed of
14 ongoing and emerging risks to public safety. This reporting enables the
15 government to monitor effectively in the event that advanced capabili-
16 ties emerge in frontier artificial intelligence models that may pose a
17 threat to the public.

18 10. It is the intent of the legislature to create more transparency,
19 and collective safety will depend in part on frontier developers taking
20 due care in their development and deployment of frontier models propor-
21 tional to the scale of the foreseeable risks.

22 § 2. Article 44-B of the general business law, as added by a chapter
23 of the laws of 2025 amending the general business law relating to the
24 training and use of artificial intelligence frontier models, as proposed
25 in legislative bills numbers S. 6953-B and A. 6453-B, is REPEALED and a
26 new article 44-B is added to read as follows:

ARTICLE 44-B
RESPONSIBLE AI SAFETY AND EDUCATION (RAISE) ACT

Section 1420. Definitions.

1421. Transparency requirements.

1422. Reporting.

1423. Loss of equity.

1424 Duties and obligations.

1425. Scope.

1426. Exceptions.

1427. Violations.

1428. Large frontier developer disclosure.

1429. Rulemaking authority.

S 1420. Definitions. As used in this article, the following terms shall have the following meanings:

1. "Affiliate" means a person controlling, controlled by, or under common control with a specified person, directly or indirectly, through one or more intermediaries.

2. "Artificial intelligence model" means an engineered or machine-based system that varies in its level of autonomy and that can, for explicit or implicit objectives, infer from the input it receives how to generate outputs that can influence physical or virtual environments.

3. (a) "Catastrophic risk" means a foreseeable and material risk that a frontier developer's development, storage, use, or deployment of a frontier model will materially contribute to the death of, or serious injury to, more than fifty people or more than one billion dollars in damage to, or loss of, property arising from a single incident involving a frontier model doing any of the following:

1 (i) providing expert-level assistance in the creation or release of a
2 chemical, biological, radiological, or nuclear weapon;

3 (ii) engaging in conduct with no meaningful human oversight, intervention,
4 or supervision that is either a cyberattack or, if the conduct
5 had been committed by a human, would constitute the crime of murder,
6 assault, extortion, or theft, including theft by false pretense; or
7 (iii) evading the control of its frontier developer or user.

8 (b) "Catastrophic risk" does not include a foreseeable and material
9 risk from any of the following:

10 (i) information that a frontier model outputs if the information is
11 otherwise publicly accessible in a substantially similar form from a
12 source other than a foundation model;

13 (ii) lawful activity of the federal government; or
14 (iii) harm caused by a frontier model in combination with other software if the frontier model did not materially contribute to the harm.

15 4. "Critical safety incident" means any of the following:

16 (a) unauthorized access to, modification of, or exfiltration of, the
17 model weights of a frontier model that results in death or bodily injury;

18 (b) harm resulting from the materialization of a catastrophic risk;
19 (c) loss of control of a frontier model causing death or bodily injury;

20 (d) a frontier model that uses deceptive techniques against the frontier developer to subvert the controls or monitoring of its frontier developer outside of the context of an evaluation designed to elicit this behavior and in a manner that demonstrates materially increased catastrophic risk.

21 5. (a) "Deploy" means to make a frontier model available to a third
22 party for use, modification, copying, or combination with other software.

23 (b) "Deploy" does not include making a frontier model available to a
24 third party for the primary purpose of developing or evaluating the
25 frontier model.

26 6. "Foundation model" means an artificial intelligence model that is
27 all of the following:

28 (a) trained on a broad data set;
29 (b) designed for generality of output; and
30 (c) adaptable to a wide range of distinctive tasks.

31 7. "Frontier AI framework" means documented technical and organizational protocols to manage, assess, and mitigate catastrophic risks.

32 8. "Frontier developer" means a person who has trained, or initiated
33 the training of, a frontier model, with respect to which the person has
34 used, or intends to use, at least as much computing power to train the
35 frontier model as would meet the technical specifications found in
36 subdivision nine of this section.

37 9. (a) "Frontier model" means a foundation model that was trained
38 using a quantity of computing power greater than 10^{26} integer or floating-point operations.

39 (b) The quantity of computing power described in paragraph (a) of this
40 subdivision shall include computing for the original training run and
41 for any subsequent fine-tuning, reinforcement learning, or other material
42 modifications the developer applies to a preceding foundation model.

43 10. "Large frontier developer" means a frontier developer that together
44 with its affiliates collectively had annual gross revenues in excess
45 of five hundred million dollars in the preceding calendar year.

1 11. "Model weight" means a numerical parameter in a frontier model
2 that is adjusted through training and that helps determine how inputs
3 are transformed into outputs.

4 12. "Department" means the department of financial services.

5 13. "Property" means tangible or intangible property.

6 14. "Person" means an individual, proprietorship, firm, partnership,
7 joint venture, syndicate, business trust, company, corporation, limited
8 liability company, association, committee, or any other nongovernmental
9 organization or group of persons acting in concert.

10 15. "Superintendent" means the superintendent of financial services.

11 16. "Office" means an office within the department of financial
12 services, which shall report to the superintendent of financial services
13 and is tasked with implementation of this article.

14 § 1421. Transparency requirements. 1. A large frontier developer shall
15 write, implement, comply with, and clearly and conspicuously publish on
16 its internet website a frontier AI framework that applies to the large
17 frontier developer's frontier models and describes in detail how the
18 large frontier developer handles all of the following:

19 (a) incorporating national standards, international standards, and
20 industry consensus best practices into its frontier AI framework;

21 (b) defining and assessing thresholds used by the large frontier
22 developer to identify and assess whether a frontier model has capabili-
23 ties that could pose a catastrophic risk, which may include multiple-ti-
24 ered thresholds;

25 (c) applying mitigations to address the potential for catastrophic
26 risks based on the results of assessments undertaken pursuant to para-
27 graph (b) of this subdivision;

28 (d) reviewing assessments and adequacy of mitigations as part of the
29 decision to deploy a frontier model or use it extensively internally;

30 (e) using third parties to assess the potential for catastrophic risks
31 and the effectiveness of mitigations of catastrophic risks;

32 (f) revisiting and updating the frontier AI framework, including any
33 criteria that trigger updates and how the large frontier developer
34 determines when its frontier models are substantially modified enough to
35 require disclosures pursuant to subdivision three of this section;

36 (g) cybersecurity practices to secure unreleased model weights from
37 unauthorized modification or transfer by internal or external parties;

38 (h) identifying and responding to critical safety incidents;

39 (i) instituting internal governance practices to ensure implementation
40 of these processes; and

41 (j) assessing and managing catastrophic risk resulting from the inter-
42 internal use of its frontier models, including risks resulting from a fron-
43 tier model circumventing oversight mechanisms.

44 2. (a) A large frontier developer shall review and, as appropriate,
45 update its frontier AI framework at least once per year.

46 (b) If a large frontier developer makes a material modification to its
47 frontier AI framework, the large frontier developer shall clearly and
48 conspicuously publish the modified frontier AI framework and a justi-
49 fication for that modification within thirty days.

50 3. (a) Before, or concurrently with, deploying a new frontier model or
51 a substantially modified version of an existing frontier model, a fron-
52 tier developer shall clearly and conspicuously publish on its internet
53 website a transparency report containing all of the following:

54 (i) the internet website of the frontier developer;

55 (ii) a mechanism that enables a natural person to communicate with the
56 frontier developer;

1 (iii) the release date of the frontier model;
2 (iv) the languages supported by the frontier model;
3 (v) the modalities of output supported by the frontier model;
4 (vi) the intended uses of the frontier model; and
5 (vii) any generally applicable restrictions or conditions on uses of
6 the frontier model.

7 (b) Before, or concurrently with, deploying a new frontier model or a
8 substantially modified version of an existing frontier model, a large
9 frontier developer shall include in the transparency report required by
10 paragraph (a) of this subdivision, summaries of all of the following:

11 (i) assessments of catastrophic risks from the frontier model
12 conducted pursuant to the large frontier developer's frontier AI frame-
13 work;

14 (ii) the results of the assessments under subparagraph (i) of this
15 paragraph;

16 (iii) the extent to which third-party evaluators were involved; and

17 (iv) other steps taken to fulfill the requirements of the frontier AI
18 framework with respect to the frontier model.

19 (c) A frontier developer that publishes the information described in
20 paragraph (a) or (b) of this subdivision as part of a larger document,
21 including a system card or model card, shall be deemed in compliance
22 with the applicable paragraph.

23 4. (a) (i) A frontier developer shall not make a materially false or
24 misleading statement about catastrophic risk from its frontier models or
25 its management of catastrophic risk.

26 (ii) A large frontier developer shall not make a materially false or
27 misleading statement about its implementation of, or compliance with,
28 its frontier AI framework.

29 (b) This subdivision shall not apply to a statement that was made in
30 good faith and was reasonable under the circumstances.

31 5. (a) When a frontier developer publishes documents to comply with
32 this section, such frontier developer may make redactions to such docu-
33 ments that are necessary to protect such frontier developer's trade
34 secrets, such frontier developer's cybersecurity, public safety, or the
35 national security of the United States or to comply with any federal or
36 state law.

37 (b) If a frontier developer redacts information in a document pursuant
38 to this subdivision, such frontier developer shall describe the charac-
39 ter and justification of such redaction in any published version of such
40 document to the extent permitted by the concerns that justify redaction
41 and shall retain the unredacted information for five years.

42 S 1422. Reporting. 1. The office shall establish a mechanism to be
43 used by a frontier developer or a member of the public to report a crit-
44 ical safety incident that includes all of the following:

45 (a) the date of the critical safety incident;

46 (b) the reasons the incident qualifies as a critical safety incident;

47 (c) a short and plain statement describing the critical safety inci-
48 dent; and

49 (d) whether the incident was associated with internal use of a fron-
50 tier model.

51 2. (a) A large frontier developer shall transmit to the office a
52 summary of any assessment of catastrophic risk resulting from internal
53 use of its frontier models every three months or pursuant to another
54 reasonable schedule requested by the large frontier developer, communi-
55 cated in writing to the office with written updates, as appropriate, and
56 agreed upon by the office. The office shall establish a mechanism to be

1 used by a large frontier developer to confidentially submit summaries of
2 any assessments of the potential for catastrophic risk resulting from
3 internal use of its frontier models.

4 (b) The office shall take all reasonable precautions to limit access
5 to any reports related to internal use of frontier models to only
6 personnel authorized to know the information and to protect the reports
7 from unauthorized access.

8 3. (a) Subject to paragraph (b) of this subdivision, a frontier devel-
9 oper shall report any critical safety incident pertaining to one or more
10 of its frontier models to the office within seventy-two hours from a
11 determination that a critical safety incident has occurred or within
12 seventy-two hours of the frontier developer learning facts sufficient to
13 establish a reasonable belief that a critical safety incident has
14 occurred.

15 (b) If a frontier developer discovers that a critical safety incident
16 poses an imminent risk of death or serious physical injury, the frontier
17 developer shall disclose that incident within twenty-four hours to an
18 authority, including any law enforcement agency or public safety agency
19 with jurisdiction, that is appropriate based on the nature of that inci-
20 dent and as required by law.

21 (c) A frontier developer that discovers information about a critical
22 safety incident after filing the initial report required by this subdi-
23 vision may file an amended report.

24 4. The office shall review critical safety incident reports submitted
25 by frontier developers and may review reports submitted by members of
26 the public.

27 5. (a) The office may transmit reports of critical safety incidents or
28 summaries of any assessments of catastrophic risk from internal use of
29 frontier models to other governmental entities at their discretion,
30 considering for example and without limitation the following: the sever-
31 ity of any such incident, potential ongoing risks, legal or regulatory
32 obligations, the need for coordinating with other governmental agencies
33 or other entities and the availability of information. The office shall
34 consider transmitting such reports or summaries to the office of the
35 attorney general, as appropriate. Any report transmitted from the office
36 to another governmental entity shall be exempt from disclosure under
37 article six of the public officers law.

38 (b) The office may consider, at its discretion, any risks related to
39 trade secrets, public safety, cybersecurity of a frontier developer, or
40 national security when transmitting reports.

41 6. A report of a critical safety incident submitted to the office
42 pursuant to this section and a report of assessments of catastrophic
43 risk from internal use pursuant to section fourteen hundred twenty-one
44 of this article, are exempt from disclosure under article six of the
45 public officers law.

46 7. (a) Beginning January first, two thousand twenty-eight, and annual-
47 ly thereafter, the office shall produce a report, that includes the
48 following:

49 (i) anonymized and aggregated information about critical safety inci-
50 dents that have been reviewed by the office since the preceding report;

51 (ii) any information that the office deems relevant to frontier model
52 safety;

53 (iii) recommended updates to this article, if any; and

54 (iv) any developments relevant to the purposes of this article.

55 (b) The office shall not include information in a report pursuant to
56 this subdivision that would compromise the trade secrets or cybersecuri-

1 ty of a frontier developer, public safety, or the national security of
2 the United States or that would be prohibited by any federal or state
3 law.

4 (c) The office shall transmit a report pursuant to this subdivision to
5 the governor, the temporary president and minority leader of the senate,
6 the speaker and minority leader of the assembly, the chair and ranking
7 member of the senate committee on internet and technology, and the chair
8 and ranking member of the assembly committee on science and technology.

9 8. The office may adopt regulations designating one or more federal
10 laws, regulations, or guidance documents that meet all of the following
11 conditions for the purposes of subdivision nine of this section:

12 (a) (i) the law, regulation, or guidance document imposes or states
13 standards or requirements for critical safety incident reporting that
14 are substantially equivalent to, or stricter than, those required by
15 subdivision three of this section; and

16 (ii) the law, regulation, or guidance document described in subpara-
17 graph (i) of this paragraph does not need to require critical safety
18 incident reporting to the state of New York; and

19 (b) the law, regulation, or guidance document is intended to assess,
20 detect, or mitigate the catastrophic risk.

21 9. (a) A frontier developer that intends to comply with subdivision
22 three of this section by complying with the requirements of, or meeting
23 the standards stated by, a federal law, regulation, or guidance document
24 designated pursuant to subdivision eight of this section shall declare
25 its intent to do so to the office.

26 (b) After a frontier developer has declared its intent pursuant to
27 paragraph (a) of this subdivision, the following shall apply:

28 (i) the frontier developer shall be deemed in compliance with subdivi-
29 sion three of this section to the extent that the frontier developer
30 meets the standards of, or complies with the requirements imposed or
31 stated by, the designated federal law, regulation, or guidance document
32 until the frontier developer declares the revocation of that intent to
33 the office or the office revokes a relevant regulation pursuant to
34 subdivision ten of this section;

35 (ii) the failure by a frontier developer to meet the standards of, or
36 comply with the requirements stated by, the federal law, regulation, or
37 guidance document designated pursuant to subdivision eight of this
38 section shall constitute a violation of this article; and

39 (iii) frontier developers who comply with subdivision three of this
40 section by meeting such federal standards shall send copies of any criti-
41 cal safety incident reports required by such federal standards to the
42 office concurrently with sending them to federal authorities.

43 10. The office shall revoke a regulation adopted under subdivision
44 eight of this section if the requirements of subdivision eight of this
45 section are no longer met.

46 S 1423. Loss of equity. The loss of value of equity shall not count as
47 damage to or loss of property for the purposes of this article.

48 S 1424. Duties and obligations. The duties and obligations imposed by
49 this article are cumulative with any other duties or obligations imposed
50 under other law and shall not be construed to relieve any party from any
51 other duties or obligations imposed under other law and do not limit any
52 rights or remedies under existing law.

53 S 1425. Scope. This article shall only apply to frontier models that
54 are developed, deployed, or operating in whole or in part in New York
55 state.

56 S 1426. Exceptions. Nothing in this article shall apply to:

1 1. accredited colleges and universities in New York state, to the
2 extent such colleges and universities are engaging in academic research
3 regarding artificial intelligence models; or

4 2. the Empire AI consortium or the institute, as such terms are
5 defined by section three hundred sixty-one of the economic development
6 law.

7 § 1427. Violations. 1. The attorney general may bring a civil action
8 to recover a civil penalty in an amount not to exceed one million
9 dollars for a first violation and in an amount not to exceed three
10 million dollars per subsequent violation, determined based on the sever-
11 ity of the violation where a large frontier developer fails to publish
12 or transmit a compliant document required to be published or transmitted
13 under this article, makes a statement in violation of subdivision four
14 of section fourteen hundred twenty-one of this article, fails to report
15 an incident as required by section fourteen hundred twenty-two of this
16 article, or fails to comply with its own frontier AI framework.

17 2. Nothing in this article shall be construed to establish, authorize
18 or create a private right of action associated with violations of this
19 article.

20 3. Nothing in this article shall be construed to prevent a large fron-
21 tier developer from asserting that another person, entity, or factor,
22 may be responsible for any alleged harm, injury or damage resulting from
23 a catastrophic risk or critical safety incident.

24 § 1428. Large frontier developer disclosure. 1. Except as otherwise
25 provided in this section, no large frontier developer may develop,
26 deploy, or operate a frontier model, in whole or in part in New York
27 state, without having a current disclosure statement filed with the
28 office and paying the required share.

29 2. The disclosure statement shall be filed in the form and the manner
30 prescribed by the office and shall contain all the information required
31 by the office. It shall be renewed every two years, whenever ownership
32 of the frontier model is transferred or whenever there is a material
33 change to the information reported in the previously filed disclosure
34 statement, whichever occurs earlier.

35 3. Such disclosure statement shall identify:

36 (a) the identity of the large frontier developer and all names under
37 which such large frontier developer conducts business;

38 (b) the address of the principal place of business and the address of
39 each office it maintains in New York state;

40 (c) in the event such large frontier developer or the ultimate parent
41 of such large frontier developer is a privately or closely held company,
42 a list of all persons or entities that beneficially own a five percent
43 or greater interest in such large frontier developer at the time of the
44 filing of the disclosure statement and a list of persons who formerly
45 beneficially owned a five percent or greater interest in such owner or
46 its predecessors in the preceding five years. In the event such owner or
47 the ultimate parent is a publicly traded company, such owner shall file
48 a list of all persons or entities that beneficially own a fifty percent
49 or greater interest in the large frontier developer at the time of
50 registration; and

51 (d) the name and contact information of a point of contact, secondary
52 contact, and tertiary contact for such large frontier developer. Such
53 point of contact shall be responsible for receiving inquiries relating
54 to this article from the office or other governmental entities.

55 4. Large frontier developers shall be assessed in pro rata shares by
56 the department to defray the operating expenses, including all direct

1 and indirect costs, of administering the obligations imposed by this
2 article.

3 5. If any person develops, deploys, or operates a large frontier model
4 in part in New York state without a current disclosure filed with the
5 office as required by this section, submits false information in its
6 disclosure or fails to timely pay any assessment required by this arti-
7 cle, in addition to any other penalty or liability that may be imposed
8 under this article, the office may, after notice and hearing, levy civil
9 penalties, fees, and costs as follows:

10 (a) a civil penalty of one thousand dollars for each day the entity
11 fails to file a disclosure as required by this section or fails to
12 correct false information; and

13 (b) an amount equal to the assessments owed.

14 6. The office shall maintain and publish a list of large frontier
15 developers who have filed disclosure statements, however such publica-
16 tion shall not include the contact information set forth in paragraph
17 (d) of subdivision three of this section.

18 § 1429. Rulemaking authority. The office is hereby authorized to adopt
19 rules and regulations to implement the provisions of this article as
20 needed. To the extent the office determines that doing so will facili-
21 tate safety and transparency consistent with the underlying purpose of
22 this article, the office may consider additional reporting or publica-
23 tion requirements for information to facilitate safety and transparency,
24 including but not limited to, post-critical safety incident information,
25 sharing plans and protocols, and the transmission of frontier AI frame-
26 works to the office.

27 § 3. Section 3 of a chapter of the laws of 2025 amending the general
28 business law relating to the training and use of artificial intelligence
29 frontier models, as proposed in legislative bills numbers S. 6953-B and
30 A. 6453-B, is amended to read as follows:

31 § 3. This act shall take effect ~~[on the ninetieth day after it shall~~
32 ~~have become a law]~~ January 1, 2027.

33 § 4. Severability. If any clause, sentence, paragraph, subdivision,
34 section or part of this act shall be adjudged by any court of competent
35 jurisdiction to be invalid, such judgment shall not affect, impair, or
36 invalidate the remainder thereof, but shall be confined in its operation
37 to the clause, sentence, paragraph, subdivision, section, or part there-
38 of directly involved in the controversy in which such judgment shall
39 have been made.

40 § 5. This act shall take effect immediately; provided, however that
41 the provisions of sections one, two and four of this act shall take
42 effect on the same date and in the same manner as a chapter of the laws
43 of 2025 amending the general business law relating to the training and
44 use of artificial intelligence frontier models, as proposed in legisla-
45 tive bills numbers S. 6953-B and A. 6453-B, takes effect.