



Joint Commission on Technology and Science

July 17, 2024, at 2:00 p.m.

General Assembly Building, House Room C-206

<http://dls.virginia.gov/commissions/jcots/jcots.htm>

The Joint Commission on Technology and Science (the Joint Commission) met in Richmond with Delegate C.E. Cliff Hayes, Jr., chair, presiding.¹ The meeting began with introductions and opening remarks followed by presentations and discussion. Materials presented at the meeting are accessible through the [Joint Commission's meetings webpage](#).

Presentation: Executive Director Hiring Process Update

Amigo Wade, Director, Division of Legislative Services (DLS)

HB 1199 (Hayes, 2024) authorizes the Joint Commission to appoint, employ, and remove an executive director as it deems necessary and removes the provision directing DLS to provide staff support to the Joint Commission. Mr. Wade provided an update on the status of the executive director hiring process and the number of applications received and outlined the next steps for the Joint Commission's Executive Hiring Subcommittee.

Presentation: Interim Work Plan Update

Staff Counsel

At its last meeting, Joint Commission members received an overview of some of the bills and topics from the 2024 Regular Session that are directly related to the Joint Commission's work for the interim. SB 339 (Salim), SB 439 (Salim), and SB 487 (Aird) were referred to the Joint Commission for study and require reports to be submitted to the Chairs of the House Committees on Appropriations and Communications, Technology and Innovation and the Senate Committees on Finance and Appropriations and General Laws and Technology no later than December 1, 2024. Joint Commission staff provided an updated interim work plan that includes the following three additional bills from the 2024 Regular Session:

HB 697 (Maldonado) expands the applicability of provisions related to defamation, slander, and libel to include synthetic media, defined in the bill. The bill makes it a Class 1 misdemeanor for any person to use any synthetic media for the purpose of committing any criminal offense involving fraud, constituting a separate and distinct offense with punishment separate and apart from any punishment received for the commission of the primary criminal offense. The bill also authorizes the individual depicted in the synthetic media to bring a civil action against the person who violates such prohibition to recover actual damages, reasonable attorney fees, and such other relief as the court determines to be appropriate. The bill directs the Attorney General to convene a work group to study and make recommendations on the current enforcement of laws

¹ **Members Present:** Delegate C.E. Cliff Hayes, Jr. (chair), Senator Adam P. Ebbin (vice-chair), Senator Lashrecse D. Aird, Senator Christie New Craig, Senator Ghazala F. Hashmi, Delegate Bonita G. Anthony, Delegate Mike A. Cherry, Delegate Michelle Lopes Maldonado, Delegate David A. Reid, Delegate Anne Ferrell Tata

Members Absent: Senator Barbara A. Favola, Delegate Michael J. Webert

related to the use of synthetic media, including deepfakes, and any further action needed to address the issue of such use in fraudulent acts.

HB 747 (Maldonado) creates operating standards for developers and deployers, as those terms are defined in the bill, relating to artificial intelligence, including (i) avoiding certain risks, (ii) protecting against discrimination, (iii) providing disclosures, and (iv) conducting impact assessments and provides that the Office of the Attorney General shall enforce the provisions of the bill.

SB 532 (Jordan) provides that no commercial entity that offers social media accounts, as defined in the bill, shall knowingly or intentionally allow a minor to access his social media account during the hours of 12:00 a.m. to 6:00 a.m. unless the minor's parent, guardian, or legal custodian has provided permission for the minor to use such social media account during these hours. The bill provides that any commercial entity that violates these provisions shall be subject to civil liability for damages resulting from the interference with a minor's sleep cycle or mental health by allowing such minor to access his social media account during the hours of 12:00 a.m. to 6:00 a.m. and reasonable attorney fees and costs.

Presentations on Artificial Intelligence

Gates Palissery, PhD Candidate, Virginia Tech, COVES Fellow, Office of Senator Lashrecse D. Aird

Yasasi Abeysinghe, PhD Candidate, Old Dominion University, COVES Fellow, Joint Commission

Ryan Harkins, Senior Director of Public Policy, Microsoft

Beth Waller, Esq., and Patrick Austin, Esq., Woods Rogers, on behalf of the Council of Independent Colleges in Virginia, Inc.

The Joint Commission members heard several presentations on artificial intelligence (AI), how AI works, the types of AI, and AI's legal frameworks. During their presentations on the types of AI and how AI works, Ms. Palissery walked the members through how a chatbot, such as ChatGPT, is trained while Ms. Abeysinghe discussed the different types of AI, such as generative AI, virtual assistants, recommendation systems, and creativity tools.

Ms. Waller and Mr. Austin presented on AI legal frameworks and the race to regulate AI. They touched on executive orders directed by the Commonwealth and legislation proposed by other states, such as Colorado, Illinois, Wisconsin, and Georgia.

Presentations on Blockchain

Greg Leffel, Executive Director, Virginia Blockchain Council

Stephen Gannon, Partner, Davis Wright Tremaine LLP, on behalf of the Virginia Bankers Association

The Joint Commission members heard two presentations on blockchain technologies. Mr. Leffel presented information on the Virginia Blockchain Council's Government Blockchain Showcase, which aims to show real world application of blockchain technologies, scheduled for August 16, 2024, from 10:00 a.m. to 5:00 p.m. at Old Town Hall in Fairfax.

Mr. Gannon's presentation focused on opportunities and challenges surrounding the advancement of blockchain and digital assets. He highlighted the importance of blockchain and digital assets in services such as banking while pointing out obstacles in infrastructure and security and the uncertainty in regulations.



Next Meeting

The next meeting of the Joint Commission is scheduled for September 19, 2024, at 2:00 p.m. in House Room B-205 of the General Assembly Building.

For more information, see the [*Joint Commission's website*](#) or contact the Division of Legislative Services staff:

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