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REGULATION OF ARTIFICIAL INTELLIGENCE IN THE UNITED STATES:

A Brief Guide for Businesses

- The United States remains the largest market for the development of artificial intelligence technologies
- There is no single AI law in the United States.
- The US system of AI regulation is still developing on a “patchwork” basis: federal guidance is combined with numerous laws enacted by individual states.
- Companies must take into account several layers of requirements at once.

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FEDERAL APPROACH TO AI REGULATION

11 December 2025 was the date on which Executive Order **Ensuring a National Policy Framework for Artificial Intelligence** was signed

This marked the first step towards the centralisation of regulation.

AI Litigation Task Force: Challenges to state laws that conflict with federal policy.

The Department of Commerce is assessing state rules deemed “burdensome”; grant funding may be withdrawn.

The FCC and the FTC are developing reporting standards and a prohibition on the misrepresentation of AI-related data.

A single federal bill is being prepared.

Follow the updates

Conclusion:

The United States is moving towards harmonisation; however, the transitional period requires simultaneous compliance with both federal and regional rules.

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STATE-LEVEL REGULATORY REQUIREMENTS

Until a federal law is enacted, state laws remain binding.

Failure to comply may lead to fines and reputational harm.

New York
AI developers are required to disclose their safety protocols and to report critical incidents within 72 hours. Violations may result in fines of up to $3 million. A dedicated monitoring unit is being established within the NYDFS.

California
The requirements include the labelling of AI-generated content, disclosure of training data, rules on AI safety, transparency of protocols, risk reporting, and restrictions on the collection of personal data.

Texas
Documentation and audit requirements apply to high-risk systems.

Illinois
Prohibition of AI-driven discrimination in employment processes.

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REQUIREMENTS FOR BUSINESSES

Businesses **must establish processes that ensure compliance** with the applicable requirements, ranging from transparency to human oversight.

- They must disclose the use of AI and the sources of data.
- They must test models for bias and discrimination.
- Address liability and data rights in contracts.
- They must carry out impact assessments for high-risk systems.
- They must maintain documentation and registers, and prepare for audits.
- They must retain a mechanism for human intervention (a “kill switch”).

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RECOMMENDATIONS FOR BUSINESSES

→ **A proactive approach** mitigates risk.

Compliance with current state-level rules should be combined with preparation for a federal standard.

1. **Establish a dedicated AI department** comprising lawyers, engineers and ethics specialists. This will ensure oversight and consistency in decision-making.
2. **Develop contract templates that reflect** the specific features of AI and address issues of liability, data rights and AI-generated outputs.
3. **Implement standards for risk assessment and transparency.** This will help identify vulnerabilities and ensure compliance with state-level requirements.
4. **Train employees in the rules governing the use of AI.** This will reduce the risk of improper use of AI and legal breaches.

Ensure continuous monitoring of state laws and federal initiatives so that processes can be adjusted in a timely manner.