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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2026

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A N A C T

RELATING TO COURTS AND CIVIL PROCEDURE -- PROCEDURE GENERALLY--
CAUSES OF ACTION

Introduced By: Representatives Carson, Caldwell, Knight, and Cotter

Date Introduced: February 27, 2026

Referred To: House Judiciary

It is enacted by the General Assembly as follows:

1 SECTION 1. Chapter 9-1 of the General Laws entitled "Causes of Action" is hereby
2 amended by adding thereto the following section:

3 **9-1-55. Artificial intelligence -- Liability for injuries.**

4 (a) When used in this section, the following words and phrases shall have the following
5 meanings:

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

9 (2) "Developer" means a person that performs the initial training of an artificial intelligence
10 system either by training a model, or by fine-tuning an existing model.

11 (3) "Fine-tuning" means adjusting the model weights of a trained covered model or covered
12 model derivative by exposing it to additional data.

13 (b) Artificial intelligence; liability for injuries. Except with respect to any causes of action
14 for defamation, developers shall be liable, regardless of the degree of care they exercised, for all
15 injuries that satisfy the following conditions:

16 (1) Those injuries are factually and proximately caused by an artificial intelligence system
17 that engages in conduct that, if undertaken by an adult human of sound mind, would satisfy the
18 elements of negligence or any intentional tort or crime; and

1 (2) That conduct was neither intended nor a consequence of negligence on the part of:

2 (i) The user of the model; or

3 (ii) Any intermediary that fine-tuned, scaffolded, or otherwise modified the artificial
4 intelligence system.

5 (c)(1) For the purposes of this section, for any torts for which the mental state of the alleged
6 tortfeasor is relevant to the elements of the tort, there shall be a rebuttable presumption that the
7 artificial intelligence system satisfies the relevant mental state if the finder of fact determines by a
8 preponderance of the evidence that, if a natural person under similar circumstances to the artificial
9 intelligence system took actions similar to those taken by the artificial intelligence system, that
10 natural person would have acted with the relevant mental state.

11 (2)(i) Unless the court determines that the presumption established in subsection (c)(1) of
12 this section is not applicable, if the party against whom the presumption is invoked presents
13 evidence tending to rebut the presumption established in subsection (c)(1) of this section, the judge
14 in a jury trial shall instruct the jury to find that the presumed facts exist unless the jury is persuaded
15 that the presumed facts do not exist.

16 (ii) Unless the court determines that the presumption established in subsection (c)(1) of this
17 section is not applicable, if the party against whom the presumption is invoked presents evidence
18 tending to rebut the presumption established in subsection (c)(1) of this section, the judge in a bench
19 trial shall find that the presumed facts exist unless the judge is persuaded that the presumed facts
20 do not exist.

21 (3) For the purposes of this section, it shall not be a defense that artificial intelligence
22 systems are incapable of having mental states.

23 (d)(1) It shall be an absolute defense to liability, including liability under the common law
24 or existing statutes, if the developer establishes that the covered model or covered model derivative
25 satisfied the standard of care applicable to humans who perform the same function that the covered
26 model or covered model derivative was engaged in performing when its conduct allegedly caused
27 the plaintiff's injury.

28 (2) It shall be an absolute defense to liability, including liability under the common law or
29 existing statutes, if the developer establishes that the injuries were a result of a capabilities failure,
30 in which a covered model or covered model derivative falls short of performing the intended or
31 reasonably anticipated performance of the user, but the conduct of the system would not satisfy the
32 elements of negligence or any intentional tort or crime if engaged in by an adult human of sound
33 mind.

1 SECTION 2. This act shall take effect upon passage.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF

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- 1 This act would provide a civil cause of action for individuals injured by artificial
- 2 intelligence.
- 3 This act would take effect upon passage.

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