



**JANUARY 2024**

**NAVIGATING THE  
LEGAL LANDSCAPE:**

**Key Laws and Regulations Governing AI and  
Data Usage**



**In 2024, there are several laws and regulations that apply to AI and data, with the landscape continuously evolving. Here's a list of some key legislation (not an all-inclusive list)....**

### **General Data Protection Regulation (GDPR) - European Union:**

- Enforces data protection and privacy for individuals within the EU and EEA.
- Includes provisions for data subject consent, data protection impact assessments, and the right to explanation for AI-driven decisions.



### **California Consumer Privacy Act (CCPA) - United States:**

- Gives California residents more control over the personal information that businesses collect about them.
- Includes rights to access, delete, and opt-out of the sale of personal information.



### **Health Insurance Portability and Accountability Act (HIPAA) - United States:**

- Relevant for AI applications in healthcare.
- Protects sensitive patient health information from being disclosed without the patient's consent or knowledge.



### **Children's Online Privacy Protection Act (COPPA) - United States:**

- Imposes certain requirements on operators of websites or online services directed to children under 13 years of age.

### **EU AI Act - European Union (Not Enforced Until 2025):**

- The world's first comprehensive legislation on AI.
- Intends to ensure AI systems are safe, ethical, and respect existing laws on fundamental rights and values.

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### **Algorithmic Accountability Act - United States (Proposal Stage):**

- A proposed act that would require companies to assess their automated decision systems for accuracy, fairness, bias, discrimination, privacy, and security.

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### **Equality Act 2010 - United Kingdom:**

- Relevant for AI in terms of potential discrimination.
- Prohibits unfair treatment in the workplace and wider society.

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### **Biometric Information Privacy Act (BIPA) - United States:**

- A law in Illinois that regulates the collection, use, safeguarding, handling, storage, retention, and destruction of biometric identifiers and information.

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### **Federal Trade Commission Act - United States:**

- Enforces against deceptive and unfair business practices, which can include certain uses of AI and data.

### **Personal Information Protection and Electronic Documents Act (PIPEDA) - Canada:**

- Governs the collection, use, and disclosure of personal information in the course of commercial activity.

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### **Automated and Electric Vehicles Act 2018 - United Kingdom:**

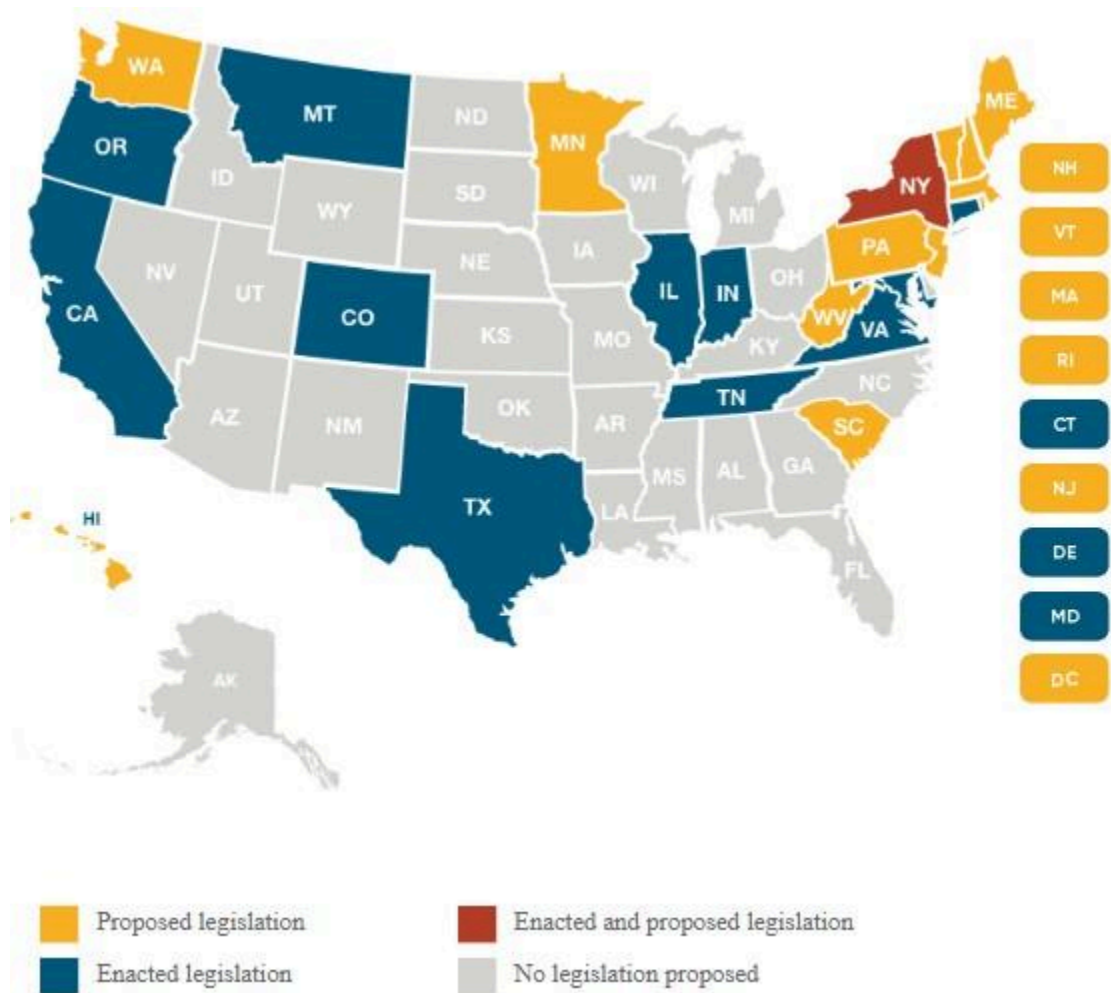
- Covers AI in the context of self-driving cars and insurance provisions.

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### **Digital Services Act (DSA) and Digital Markets Act (DMA) - European Union:**

- In-force legislations aiming to create a safer digital space where the fundamental rights of users are protected and to establish a level playing field for businesses.
  - These laws and regulations vary significantly in their scope and application, reflecting the diverse ways in which AI and data intersect with different aspects of society and industry. As AI continues to evolve, it is likely that additional regulations will be developed both at national and international levels.

## BCLP US State-by-State AI Legislation Snapshot | 2023



Source: Bryan Cave Leighton Paisner. (2023). 2023 State-by-state artificial intelligence legislation snapshot. Retrieved [2024, January 20], from <https://www.bclplaw.com/en-US/events-insights-news/2023-state-by-state-artificial-intelligence-legislation-snapshot.html>.

While the U.S. lacks a unified AI regulatory structure, it has various frameworks and guidelines in place. Congress has enacted laws to maintain the nation's forefront position in AI research and development and to regulate AI usage by government entities. In May 2023, under President Biden, the National AI Research and Development Strategic Plan was revised to highlight the importance of ethical principles and global cooperation in AI research. The Office of Science and Technology Policy sought public input on AI's societal impact. Additionally, the National Telecommunications and Information Administration

requested public feedback to establish trust in AI systems through its AI Accountability Policy Request for Comment. These efforts, in addition to the list below, reflect the U.S. government's focus on specific AI governance laws and policies:

**Executive orders:**

- Maintaining American Leadership in AI
- Promoting the Use of Trustworthy AI in the Federal Government

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**Acts and bills:**

- AI Training Act
- National AI Initiative Act (Division E, Sec. 5001; in force)
- AI in Government Act (Division U, Sec. 101; in force)
  - National AI Commission Act (Draft)
  - Digital Platform Commission Act (Draft)
  - Global Technology Leadership Act (Draft)
- Transparent Automated Governance Act (Draft)
  - CREATE AI Act (Draft)

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**Non-binding frameworks:**

- Blueprint for an AI Bill of Rights (Oct 2022)

- National Institute of Standards and Technology AI Risk Management Framework

- Guidance for Regulation of AI Applications

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### **Government initiatives:**

- Voluntary Commitments from Leading AI Companies to Manage the Risks Posed by AI

- TTC Joint Roadmap on Evaluation and Measurement Tools for Trustworthy AI and Risk Management

- Congressional AI effort of Sen. Charles E. Schumer, D-N.Y.

- National Security Commission on AI

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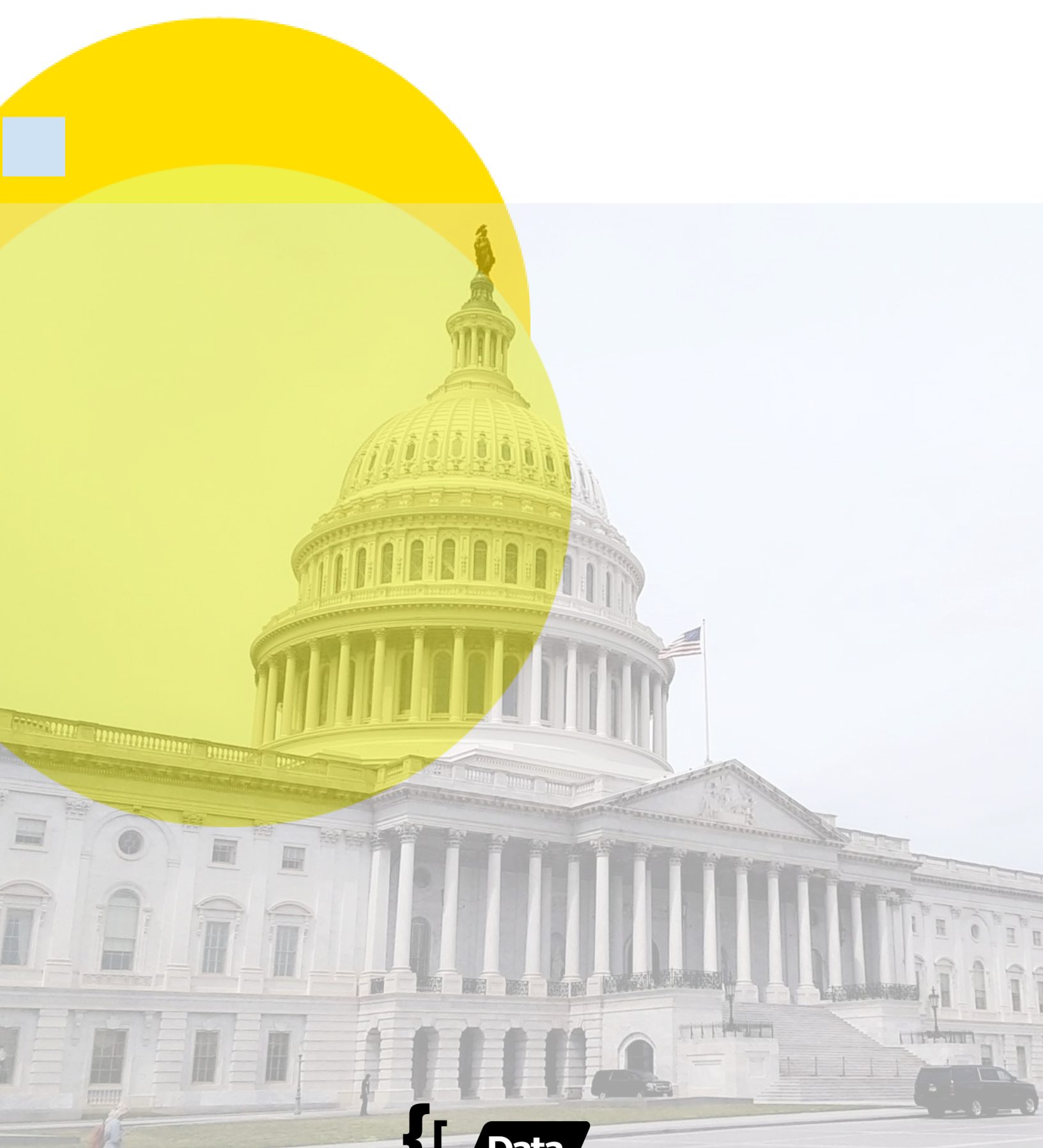
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