

HB1294 • Virginia

Use of artificial intelligence-based tools; covered artificial intelligence, disclosure of use.

Introduced

Risk: High

Comprehensive

Last Action (Feb 02, 2026): Continued to next session in Communications, Technology and Innovation (Voice Vote)

Summary

The bill mandates disclosure of AI use in criminal investigations, defines 'covered artificial intelligence', requires retention of AI-generated drafts, and allows civil action by the Attorney General for equitable or declaratory relief.

Business Impact

If you operate in criminal investigations in Virginia, you must disclose AI use and retain AI-generated drafts by January 1, 2025, or face penalties.

Key Provisions

- Requires disclosure of covered AI use in police reports and to the individual under investigation or their counsel within 30 days of AI use upon arrest or issuance of a summons.
- Mandates retention of the first draft of AI-generated reports for as long as the final report is retained.
- Establishes an audit trail for AI-generated content in reports, including identifying the person who used AI, changes made, and any video/audio footage used.
- Requires police reports to be submitted to the attorney for the Commonwealth upon arrest or issuance of a summons.
- Allows the Attorney General to investigate and bring a civil action against law enforcement agencies to enforce compliance, specifically to obtain equitable or declaratory relief, and residents to enforce compliance through civil actions, with residents providing written notice, reasonably calculated to enable the law-enforcement agency to cure the alleged violation, 90 days prior to filing.
- Defines 'covered artificial intelligence' and its applications in law enforcement.

Compliance Checklist

- Disclose use of covered AI in police reports | Who: Law enforcement agencies | Penalty: Civil action may be brought against the agency
- Retain first draft of AI-generated reports | Who: Law enforcement agencies | Penalty: Civil action may be brought against the agency
- Provide notice of alleged violations | Who: Residents wishing to file suit | Penalty: Failure to provide notice may bar the lawsuit

Industries Affected

Law Enforcement

Government

Legal Services

Consumer Protection

Topics

AI Transparency

AI Privacy

AI in Law Enforcement

Bill Sponsors

Name	Party	Role
Sam Rasoul	Democratic	Primary
Chris L. Hurst		Cosponsor
R. Creigh Deeds		Cosponsor
Kaye Kory		Primary
Rodney T. Willett		Primary
Wendy W. Gooditis		Primary
Nadarius E. Clark	Democratic	Primary
Michelle Lopes Maldonado	Democratic	Cosponsor

Official Source

<https://lis.virginia.gov/bill-details/20261/HB1294>

Disclaimer: This document is generated by AI for informational purposes only. It does not constitute legal advice. Consult a qualified attorney for guidance specific to your situation. Information may not be fully up to date.