Study Resolution

Artificial Intelligence in the Commonwealth

Authorized by the Commission on December 16, 2025

WHEREAS, artificial intelligence (AI) can enhance the delivery of government services, reshape private sector business processes and productivity, and significantly impact citizens' day-to-day lives; and

WHEREAS, while AI brings opportunities for improving productivity and government services, it also brings risks such as supplanting human actions and judgment, perpetuating discrimination and inequality, creating security risks such as deepfakes and other illegal activity, and undermining public trust in government institutions; and

WHEREAS, Virginia has started taking actions to oversee and regulate the appropriate use of AI in both the public and private sector, including Executive Order 30 in 2024, the Virginia Information Technologies Agency's (VITA) issuance of AI IT security standards and an AI registry for state agencies, and the Joint Commission on Technology and Science's (JCOTS) reviews of some specific aspects of AI; and

WHEREAS, legislation is being considered and/or adopted in other states and Virginia to appropriately regulate AI to protect citizens while also harnessing opportunities to enhance productivity, processes, and prosperity; now, therefore, be it

RESOLVED by the Joint Legislative Audit and Review Commission that staff be directed to review the use, governance, regulation, and oversight of AI in the Commonwealth. In conducting its review, staff shall: (i) determine how and to what extent AI is currently being used and considered in Virginia state government [state agencies and higher education] and the opportunities and risks these uses present; (ii) determine whether state agency staff have the appropriate skills to effectively operationalize the use of AI; (iii) evaluate whether state policies and processes regarding the use of AI in state government enable innovation while also mitigating the risks to state personnel and the public; (iv) identify options for a governance structure and process the state could adopt to ensure continuing rigorous oversight of AI as it evolves; (v) review legislation pertaining to AI that has been considered and passed in other states; (vi) identify areas outside of state government that are likely to be substantially affected by AI that could require state government regulation; and (vii) review how data center capacity and other factors could impact the cost and availability of AI.

JLARC shall make recommendations as necessary and review other issues as warranted.

All agencies of the Commonwealth, including the Virginia Information Technologies Agency, the Office of Regulatory Management, and higher education institutions shall provide assistance, information, and data to JLARC for this study, upon request. JLARC staff shall have access to all information in the possession of agencies pursuant to § 30-59 and § 30-69 of the Code of Virginia. No provision of the Code of Virginia shall be interpreted as limiting or restricting the access of

JLARC staff to information pursuant to its statutory authority. JLARC will coordinate as necessary and appropriate with JCOTS.