SPONSOR: Rep. Griffith & Rep. Romer & Rep. Spiegelman & Sen. Hansen & Sen. Pettyjohn

HOUSE OF REPRESENTATIVES
153rd GENERAL ASSEMBLY

HOUSE JOINT RESOLUTION NO. 7
AS AMENDED BY
HOUSE AMENDMENT NO. 1

DIRECTING THE ARTIFICIAL INTELLIGENCE COMMISSION TO WORK IN COLLABORATION WITH THE SECRETARY OF STATE TO CREATE A REGULATORY SANDBOX FRAMEWORK FOR THE TESTING OF INNOVATIVE AND NOVEL TECHNOLOGIES THAT UTILIZE AGENTIC ARTIFICIAL INTELLIGENCE.

WHEREAS, the use of artificial intelligence ("AI") in the public and private sector is growing; and

WHEREAS, AI takes two forms, generative AI and agentic AI; and

WHEREAS, generative AI refers to AI systems that create new content, such as text, images, audio, and video, based on learned patterns from existing data; and

WHEREAS, agentic AI refers to AI systems designed to operate with a significant degree of autonomy, enabling them to make decisions and take actions independently to achieve specific goals; and

WHEREAS, the development of agentic AI for use in the field of corporate governance presents many benefits for automating tasks and increasing efficiencies, but raises legal and ethical questions related to corporate governance and the Delaware General Corporation Law; and

WHEREAS, other states and nations are using regulatory sandboxes, frameworks set up by regulators in which companies are exempt from the legal risk of certain regulations under the supervision of regulators, to test innovate and novel products, services, and technologies; and

WHEREAS, in 2024, the General Assembly created the Artificial Intelligence Commission ("AI Commission") to make recommendations to the General Assembly and Department of Technology and Information on artificial intelligence ("AI") utilization and safety within this State and to conduct an inventory of all generative AI usage within this State's executive, legislative, and judicial agencies and identify high risk areas for the implementation of generative AI; and

WHEREAS, the General Assembly finds the AI Commission and the Secretary of State are well positioned to assist the General Assembly in creating a regulatory sandbox framework for agentic AI usage.

NOW, THEREFORE:

BE IT RESOLVED by the House of Representatives and the Senate of the 153rd General Assembly of the State of Delaware, with the approval of the Governor, that the AI Commission work in collaboration with the Secretary of State to

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create a regulatory sandbox framework for the testing of innovative and novel technologies that utilize agentic artificial intelligence.

BE IT FURTHER RESOLVED that, not later than January 2, 2026, the AI Commission, in collaboration with the Secretary of State, deliver a written report of the findings and recommendations related to the regulatory sandbox framework to all of the following:

(1) The President Pro Tempore and Secretary of the Senate, for distribution to all members.

(2) The Speaker and Chief Clerk of the House of Representatives, for distribution to all members.

(3) The Controller General.

(4) The Director and Librarian of the Division of Legislative Services.

(5) The Governor.

BE IT FURTHER RESOLVED that the Chief Clerk of the House of Representatives deliver a copy of this Joint Resolution to the Chair of the AI Commission as soon as possible after enactment.