Session of 2025

Senate Substitute for HOUSE BILL No. 2313

By Committee on Federal and State Affairs

3-19

AN ACT concerning technology produced by certain foreign countries; relating to artificial intelligence platforms; prohibiting the use of artificial intelligence platforms of concern on state-issued devices and networks; prohibiting medical and research facilities from using genetic sequencers or operational software used for genetic analysis that is produced in or by a foreign adversary.

Be it enacted by the Legislature of the State of Kansas:

Section 1. (a) No electronic device that is owned or issued to an employee by a state agency shall be used to access an artificial intelligence platform of concern. Any network that is operated by a state agency shall prohibit the use of artificial intelligence platforms of concern by users who access the network.

(b) Any state agency that utilizes an artificial intelligence platform of concern or has an account with an artificial intelligence platform of concern shall deactivate and delete such account and shall no longer use the artificial intelligence platform.

(c) The provisions of this section shall not apply to state agencies that are using an electronic device owned or issued to an employee by a state agency to access an artificial intelligence platform of concern for the purposes of law enforcement activities or cybersecurity investigations.

(d) As used in this section:

(1) "Artificial intelligence platform of concern" means:

(A) The artificial intelligence model commonly referred to as DeepSeek and any artificial intelligence model that is owned or controlled, directly or indirectly, by Hangzhou DeepSeek Artificial Intelligence Basic Technology Research Company or a subsidiary or successor company of such company; or

(B) an artificial intelligence model that is controlled, directly or indirectly, by a country of concern;

(2) (A) "country of concern" means the following:

(i) People's republic of China, including the Hong Kong special administrative region;

(ii) republic of Cuba;

(iii) islamic republic of Iran;

(iv) democratic people's republic of Korea;

(v) Russian federation; and

(vi) Bolivarian republic of Venezuela.

(B) "Country of concern" does not include the republic of China (Taiwan); and

(3) "state agency" means any state office or officers, department, board, commission, institution or bureau or any agency, division or unit thereof.

Sec. 2. (a) As used in this section:

(1) "DNA" means deoxyribonucleic acid, ribonucleic acid and chromosomes that may be analyzed to detect heritable diseases or conditions, including the identification of carriers, predicting risk of disease or establishing a clinical diagnosis.

(2) "Foreign adversary" means the people's republic of China, the Russian federation, the Islamic republic of Iran, the democratic people's republic of Korea, the republic of Cuba, the Venezuelan regime of Nicolas Maduro or the Syrian Arab republic, including any agent of or any other entity under significant control of such foreign adversary, or any other entity deemed to be a foreign adversary by the governor in consultation with the adjutant general.

(3) "Genetic sequencer" means any device or platform used to conduct genetic analysis, resequencing, isolation or other genetic research.

(4) "Human genome" means DNA or ribonucleic acid that is found in human cells.

(5) "Medical facility" means a facility for the delivery of health services that receives state moneys, including interagency pass-through appropriations from the federal government, and conducts research or testing on, with or relating to genetic analysis or the human genome.

(6) "Operational or research software" means computer programs used for the operation, control, analysis or other necessary functions of genetic analysis or genetic sequencers.

(7) "Research facility" means a facility that receives state moneys, including interagency pass-through appropriations from the federal government and conducts research on, with or relating to genetic analysis or the human genome.

(b) No medical facility or research facility in this state shall utilize genetic sequencers or operational or research software used for genetic analysis produced in or by a foreign adversary, a state-owned enterprise of a foreign adversary, a company domiciled within a foreign adversary or a company-owned or company-controlled subsidiary of a company domiciled within a foreign adversary for the purpose of conducting genetic analysis.

(c) All genetic sequencers and operational and research software used for genetic sequencers or genetic analysis devices prohibited under

subsection (b) that is not permanently disabled shall be removed and replaced with genetic sequencers and operational and research software used for genetic sequencers or genetic analysis that is not prohibited under subsection (b).

(d) Subject to appropriations, a medical facility or research facility in this state may request a reimbursement from the state treasurer up to the cost of replacement of the equipment and software prohibited under subsection (b) from the state treasurer, provided the request includes purchase orders and is submitted prior to October 1, 2025.

(e) The provisions of this section are severable. If any provision of this section is declared unconstitutional or invalid, or the application of any portion of the act to any person or circumstance is held unconstitutional or invalid, the invalidity shall not affect other portions of the act that can be given effect without the invalid portion or application, and the applicability of such other portions of the act to any person or circumstance shall remain valid and enforceable.

Sec. 3. This act shall take effect and be in force from and after its publication in the statute book.