Session of 2026

House Resolution No. 6023

By Committee on Legislative Modernization

1-28

A RESOLUTION opposing the federal preemption of state laws that regulate artificial intelligence.

WHEREAS, The State of Kansas recognizes the rapid advancement and deployment of artificial intelligence (AI) systems throughout the economy, including in sectors affecting Kansas citizens such as employment, housing, healthcare, elections and education; and

WHEREAS, Federal preemption of state AI laws would represent a significant intrusion into the states' traditional and constitutionally protected powers under the Tenth Amendment, which reserves to the states powers not explicitly delegated to the federal government; and

WHEREAS, The proposed federal preemption would override states' traditional authority in areas such as state election administration, state court operations, public safety and policing, professional licensing and the governance of state executive branches, all of which are areas in which states have legitimate constitutional authority and responsibility to their citizens; and

WHEREAS, Federal proposals to preempt state AI laws have contained serious flaws, including ambiguous definitions, lack of state criminal prosecution exemptions and, most critically, no meaningful federal protections or standards to replace state authority; and

WHEREAS, Such federal preemption would leave courts, employers, consumers and Kansas residents operating in a regulatory vacuum at precisely the moment when AI systems are becoming deeply embedded in everyday life; and

WHEREAS, Federal preemption efforts may be paired with threats to withhold discretionary federal funding and Broadband Equity Access and Deployment (BEAD) Program funds from states with AI regulations, representing a coercive infringement on state authority and an inequitable burden on rural and fiscally constrained states, like Kansas, that depend heavily on federal broadband funding; and

WHEREAS, States are uniquely positioned to tailor policy to local needs, and they have been the "laboratory of democracy," piloting solutions that can later inform federal legislation when Congress finally acts; and

WHEREAS, Kansas and other states now risk having their carefully

considered policymaking undone by broadly applied and rushed federal intervention; and

WHEREAS, Congress should instead focus on setting a strong federal floor of protections, while preserving state authority to go further, as needed, in addressing new harms in ways that are tailored to their constituents' needs: Now, therefore,

Be it resolved by the House of Representatives of the State of Kansas: That we express our strong opposition to any federal legislation, executive order or federal policy that would preempt, freeze or otherwise restrict the state of Kansas from enacting, enforcing or modifying laws and regulations governing AI; and

Be it further resolved: That we oppose any proposal to temporarily or permanently suspend Kansas' authority to regulate AI in any sector, including, but not limited to, areas of traditional state responsibility, such as:

(a) State election administration and the prevention of election interference through AI-generated deepfakes, automated voter-targeting tools and related technologies;

(b) state court operations and the rules governing the use of AI in legal proceedings and judicial decision-making;

(c) public safety and policing, including the use of AI-based surveillance and biometric identification technologies;

(d) professional licensing and the regulation of professionals' use of AI tools;

(e) employment practices and protections for Kansas workers from AI-enabled discrimination;

(f) housing and the prevention of AI-enabled discriminatory practices in housing markets;

(g) healthcare and the regulation of AI systems used in medical decision-making;

(h) consumer protection and the prevention of AI-generated fraud and identity theft;

(i) environmental and land use regulation related to data center construction and operation; and

(j) protecting the privacy of children and regulating AI companion applications; and

Be it further resolved: That we reject any federal preemption proposal that:

(a) Fails to include a clear exemption preserving state authority to enforce criminal laws against AI-enabled crimes, including the production of non-consensual synthetic media, identity fraud and election interference;

(b) does not offer federal protections or minimum standards to replace

state authority, leaving Kansas residents in a regulatory vacuum;

(c) uses ambiguous definitions of AI systems or AI regulation that invite litigation and regulatory paralysis;

(d) allows private entities to enforce federal restrictions on state authority, subjecting Kansas to costly litigation;

(e) conditions the receipt of federal funding, including, but not limited to, Broadband Equity Access and Deployment (BEAD) Program funds, on Kansas' refusal to enact or enforce AI regulations; or

(f) attempts to achieve preemption through executive order, which exceeds presidential constitutional authority; and

Be it further resolved: That we affirm the constitutional authority of the state of Kansas to regulate artificial intelligence within its borders and the responsibility of Kansas to protect its citizens from AI-related harms; and

Be it further resolved: That nothing in this resolution shall be construed as endorsement of all AI regulations or opposition to reasonable federal AI standards that are paired with preservation of meaningful state authority; and

Be it further resolved: That the Secretary of State shall send enrolled copies of this resolution to:

(a) Each member of the Kansas congressional delegation;

(b) the President of the United States;

(c) the Speaker of the United States House of Representatives;

(d) the President pro tempore of the United States Senate;

(e) the chairpersons and ranking members of the United States House Committee on Energy and Commerce and the United States Senate Committee on Commerce, Science, and Transportation;

(f) all state governors and state legislative leaders; and

(g) the national media outlets.