

Prohibition on AI Platforms and Genetic Sequencers of Concern; Senate Sub. for HB 2313

Senate Sub. for HB 2313 prohibits state agencies from allowing employees to access artificial intelligence (AI) platforms of concern on state-owned or state-issued electronic devices and prohibits all medical and research facilities in the state from using genetic sequencers or operational or research software used for genetic analysis produced in or by a foreign adversary or affiliated entity.

Prohibition on Artificial Intelligence Platforms of Concern

The bill prohibits state agencies from allowing employees to access AI platforms of concern on state-owned or state-issued electronic devices. Additionally, state agencies are required to block user access to such platforms on state networks.

State agencies that currently utilize or operate an account with platforms of concern are required to stop using such platform and deactivate and delete such accounts.

The bill provides an exception for state agencies accessing such platforms for law enforcement activities or cybersecurity investigations.

Prohibition on Genetic Sequencers Produced by a Foreign Adversary

The bill prohibits medical and research facilities in the state from utilizing 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.

The bill requires all genetic sequencers, operational and research software used for genetic sequencing, or genetic analysis devices that are not permanently disabled to be removed and replaced with equipment that is not prohibited under the bill.

The bill authorizes, subject to appropriations, a medical facility or research facility in Kansas to request reimbursement from the State Treasurer up to the cost of replacement for the prohibited equipment and software. The request must include purchase orders and be submitted prior to October 1, 2025.

Severability

The bill declares the provisions regarding genetic sequencers and operational or research software severable. If any of these provisions are declared unconstitutional or invalid,

or the application of any portion of these provisions to any person or circumstance are held unconstitutional or invalid, the invalidity will not affect other portions of these provisions that can be given effect without the invalid portion or application. The applicability of other portions of the provisions regarding genetic sequencers and operational or research software will remain valid and enforceable.

Definitions

The bill defines the following terms:

- “Artificial intelligence platform of concern” means the AI model DeepSeek and any AI models owned or controlled by Hangzhou DeepSeek Artificial Intelligence Basic Technology Research Company or its subsidiaries or successors;
- “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;
- “Country of concern” means the People’s Republic of China (including Hong Kong), Republic of Cuba, Islamic Republic of Iran, Democratic People’s Republic of Korea, Russian Federation, and Bolivarian Republic of Venezuela;
 - This definition does not include the Republic of China (Taiwan);
- “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;
- “Genetic sequencer” means any device or platform used to conduct genetic analysis, resequencing, isolation, or other genetic research;
- “Human genome” means DNA or ribonucleic acid that is found in human cells;
- “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;
- “Operational or research software” means computer programs used for the operation, control, analysis, or other necessary functions of genetic analysis or genetic sequencers;

- “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; and
- “State agency” means any state office or officers, department, board, commission, institution, bureau, agency, division, or unit.