Res. No. 562

Resolution calling on the New York State Legislature to pass, and the Governor to sign, S.8209/A.8129, in relation to enacting the New York artificial intelligence bill of rights.

By Council Members Menin, Gutiérrez, Brewer and Williams

Whereas, Artificial Intelligence ("AI") is largely defined as a category of technology focusing on the simulation of human intelligence by machines, with AI technologies used to carry out tasks and objectives with varying levels of autonomy; and

Whereas, AI technologies are used in applications like facial recognition, digital assistants, chatbots, and personalized algorithmic curation within social media, shopping, and streaming services; and

Whereas, The advent of generative AI applications like ChatGPT, in which applications are able to create new content based on their training data, introduced a new wave of AI adoption; and

Whereas, Surveys and reports from organizations including IBM, McKinsey, Forbes, and the Massachusetts Institute of Technology have found that, compared to 2023, far more businesses and people in 2024 are either currently using or planning to use generative AI applications in their professional and personal lives; and

Whereas, The widespread adoption of traditional and generative AI technologies has led to an increased awareness of the harms stemming from the overreliance on, and lack of regulation of, these technologies, with research finding major concerns, including algorithmic bias, blind trust in computer-generated outcomes, cybersecurity and privacy risks, and algorithmic black boxes in which researchers themselves do not know how their AI models reach their conclusions; and

Whereas, Real-world negative impacts of AI applications have been documented, including through

algorithmic flaws, such as false-positive facial recognition matches leading to wrongful arrests and a rent pricing algorithm erroneously creating exorbitantly high rents, improper deployment, such as a botched rollout of a government chatbot leading to service interruptions, and malicious use, such as deepfakes and ChatGPT-enabled phishing cyberattacks; and

Whereas, In response to businesses' growing reliance on AI hiring tools coupled with documented research on how such tools can exacerbate pre-existing human biases, New York City enacted Local Law 144 of 2021, which prohibits employers and employment agencies from using automated employment decision tools unless they have been audited for bias and requires certain notices to be provided to candidates and employees regarding the use of such tools; and

Whereas, The National Artificial Intelligence Advisory Committee released an October 2023 report which recommended adaptive regulation of AI technologies to ensure that AI serves instead of harms humanity; and

Whereas, S.8209, sponsored by State Senator Jeremy A. Cooney, and companion bill A.8129, sponsored by State Assembly Member Clyde Vanel, would enact the New York artificial intelligence bill of rights; and

Whereas, The New York artificial intelligence bill of rights would protect New Yorkers from potential harms of AI use by establishing rights such as a right to safe and effective systems, a right to not face algorithmic discrimination, a right to opt out of an automated system, and a right to have agency over one's data; now, therefore, be it

Resolved, That the Council of the City of New York calls on the New York State Legislature to pass, and the Governor to sign, S.8209/A.8129, in relation to enacting the New York artificial intelligence bill of rights.

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