A. R. LONG COMPANY

The 50-State AI Index

Which states are regulating artificial intelligence, how hard, and what happens next.

Inaugural edition · Q4 2026 · Published September 2026 · Next update: January 2027 (post-session-opening)

Headline findings. Four states rate Tier 1 (Hot): California, Colorado, New York and Illinois. Fifteen more are Tier 2 (Active), including Georgia at #8 nationally with a Heat Score of 61. Companion-chatbot safety is the dominant 2026 theme (14 states enacted by mid-year; nine more failed and will return). Seven states now bar AI-only health-coverage denials. Data center policy has become a regulatory driver in its own right in Virginia, Georgia, Arizona, Pennsylvania and Indiana.

Ten forecast calls are posted in Section 5 with probabilities. They will be graded publicly in the next edition. The Index's value depends on being scored against reality, so nothing here is edited after publication.

1. At a glance

Measure	Q4 2026
States rated Tier 1 — Hot (70+)	4
States rated Tier 2 — Active (40–69)	15
States rated Tier 3 — Emerging (20–39)	20
States rated Tier 4 — Quiet (<20)	11
Mean Heat Score, all 50 states	36.6
Georgia rank / score	#8 / 61 (Tier 2 — Active)
State AI laws enacted in 2026 (TechPolicy.Press, Jul 1)	109 laws across 29 states; 28 data center laws
Companion-chatbot laws enacted in 2026	14 (100+ bills introduced)
States barring AI-only health-coverage denials (2026)	7: AL, CO, GA, IA, IL, UT, WA
Federal lobbyists working on AI (2025)	3,570 — one in four registered lobbyists

2. How the Index works

Each state receives a Regulatory Heat Score from 0 to 100, the sum of four components. The score measures how much AI-specific law and live legislative pressure a company operating in that state must manage, not whether the policy is good. A high score is a compliance burden for some readers and a market for others.

Component	Max	What it measures
Comprehensive / frontier law	30	A cross-sector AI statute: developer and deployer duties, frontier-model safety frameworks, comprehensive transparency (e.g., Colorado, Texas TRAIGA, California SB 53, Connecticut SB 5).
Sectoral laws	40	Enacted laws by sector: chatbots and minors; health and insurance AI; employment; deepfakes and elections; public-sector governance; algorithmic pricing.
Legislative activity	15	Volume and advancement of pending bills, full-time versus part-time legislature, and where the session calendar stands.
Data center policy pressure	15	Moratorium, tax-exemption, ratepayer and siting fights, and utility or commission large-load rules.

Tiers. Tier 1 (Hot) 70 and above; Tier 2 (Active) 40–69; Tier 3 (Emerging) 20–39; Tier 4 (Quiet) below 20.

Confidence. Every state carries a High, Medium or Low confidence flag reflecting how many independent public sources support its component scores. Low-confidence states are, by construction, the quiet ones; their rankings will move as the Index adds primary-source review of each legislature's enrolled bills.

Sources. Component scores are A. R. Long's assessment of public legislative records and trackers as of September 2026: the Center for Democracy & Technology's 2026 legislation updates, the Transparency Coalition's weekly updates, TechPolicy.Press, the National Law Review's 2026 wrap-up, Layer3Labs' 50-state guide, multistate.ai, Becker's Payer Issues, and the Georgia General Assembly. Full citations are in Section 7.

3. The top ten

#	State	Score	Tier	Why it rates
1	California	93	1 · Hot	SB 53 Transparency in Frontier AI Act and AB 2013 training-data disclosure (eff. Jan 1, 2026); SB 243 companion-chatbot safety; ~30 AI bills through Appropriations in Aug 2026.
2	Colorado	81	1 · Hot	SB 24-205 comprehensive AI Act replaced by SB 26-189 (narrowed ADS transparency; employer duties); HB 1139 health-insurance AI; HB 1263 chatbots; xAI/DOJ litigation.
3	New York	81	1 · Hot	NYC Local Law 144 bias audits; S3008 and S9008 chatbot laws; SB 8831 public-sector AI governance; seven bills awaiting Gov. Hochul by Dec 31, 2026 incl. S 9051 kids chatbot safety, A 6578 training-data transparency, A 11560 hyperscale data center moratorium.
4	Illinois	70	1 · Hot	HB 3773 AI in employment (eff. Jan 1, 2026); SB 315 frontier-model safety frameworks; SB 3114 insurer AI limits.
5	Connecticut	68	2 · Active	SB 5 (2026) comprehensive AI law: chatbots, automated-decision transparency, independent verification pilot; workplace AI disclosure and RIF provisions.
6	Texas	66	2 · Active	TRAIGA (HB 149) Responsible AI Governance Act (eff. Jan 1, 2026); SB 441 non-consensual intimate imagery; large data center build-out and grid legislation (SB 6, 2025).
7	Utah	62	2 · Active	SB 149 AI Policy Act (2024) and Office of AI Policy; HB 452 chatbot regulation; SB 319 insurer AI; HB 286 and HB 438 chatbot bills failed.
8	Georgia	61	2 · Active	SB 540 chatbot disclosure and child safety (eff. Jul 1, 2027, no embedded-chatbot carve-out); SB 444 no AI-only health-coverage denials (eff. Jan 1, 2027); SR 789 AI study committee; data center moratorium, tax-exemption and ratepayer bills all stalled in 2026; OpenAI $20B Effingham campus; PSC cost-allocation rules.
9	Washington	58	2 · Active	HB 2225 chatbot safety; SB 5395 auditable insurer AI policies; election deepfake law.
10	Virginia	56	2 · Active	HB 797 independent-verification-organization licensing; HB 2094 comprehensive act vetoed (2025); chatbot bills HB 758/HB 2554 failed; largest U.S. data center market with active ratepayer politics.

4. All 50 states

Ranked by Heat Score. Tier 1 rows are shaded gold; Tier 2 rows light gold. Component scores, enacted-law detail and a maintained version of this table are in the companion workbook.

#	State	Score	Tier	Conf.	2027 watch
1	California	93	1 · Hot	High	Governor action on the 2026 batch (chatbots and minors, worker displacement notice, provenance); SB 813 standards commission; CPPA automated-decision rules.
2	Colorado	81	1 · Hot	High	Implementation of SB 26-189; litigation outcome; AG rulemaking.
3	New York	81	1 · Hot	High	Hochul signing decisions (deadline Dec 31, 2026); data center moratorium; RAISE Act implementation.
4	Illinois	70	1 · Hot	High	Frontier-model enforcement; employment rulemaking by IDHR.
5	Connecticut	68	2 · Active	High	Agency implementation; verification-organization pilot design.
6	Texas	66	2 · Active	High	No regular session until 2027; AG enforcement posture under TRAIGA; ERCOT large-load rules.

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#	State	Score	Tier	Conf.	2027 watch
7	Utah	62	2 · Active	High	Learning-lab regulatory mitigation agreements; renewed chatbot bills.
8	Georgia	61	2 · Active	High	2027 session: data center ratepayer and tax-exemption bills return; SB 540 clarifying amendments; SB 444 implementation; PSC large-load tariff.
9	Washington	58	2 · Active	High	AI task force recommendations; comprehensive bill attempts.
10	Virginia	56	2 · Active	High	Comprehensive AI act reintroduction under new administration; data center tax and grid bills.
11	Tennessee	54	2 · Active	High	Expansion of chatbot rules; data center incentives (Memphis xAI).
12	New Jersey	52	2 · Active	High	Governor action on Kids Code; AI companion safety (A 5272/S 4474); developer disclosure bills.
13	Maine	44	2 · Active	Medium	Follow-on chatbot legislation; health AI rules.
14	Maryland	44	2 · Active	Medium	Comprehensive private-sector bill; data center siting and PSC issues.
15	Florida	44	2 · Active	Medium	2027 session chatbot and consumer AI package; data center energy policy.
16	Pennsylvania	44	2 · Active	High	Fall 2026 floor action (House returns Sept 9, Senate Sept 28); insurer AI; companion-app safety.
17	Minnesota	40	2 · Active	Medium	Litigation outcome; consumer-facing AI bills.
18	Iowa	40	2 · Active	Medium	Data center growth and energy bills; chatbot follow-ons.
19	Michigan	40	2 · Active	Medium	Lame-duck action on chatbot and pricing bills; data center tax incentive politics.
20	Massachusetts	38	3 · Emerging	Medium	Privacy conference report; health AI; full-time legislature keeps 2026 bills alive.
21	Oregon	36	3 · Emerging	Medium	Consumer AI framework attempts; large-load tariff implementation.
22	Arizona	34	3 · Emerging	Medium	Chatbot reintroduction; data center siting and water bills.
23	Idaho	32	3 · Emerging	Medium	Light-touch follow-ons.
24	Nebraska	32	3 · Emerging	Medium	Unicameral revisits chatbot scope; data center incentives.
25	Ohio	32	3 · Emerging	Medium	Full-time legislature: insurer AI and deepfake bills likely to move in 2027.
26	North Carolina	32	3 · Emerging	Medium	Conference reports; health AI; data center tax policy.
27	Rhode Island	30	3 · Emerging	Medium	Comprehensive bill attempts modeled on Connecticut.
28	New Hampshire	28	3 · Emerging	Medium	Follow-on chatbot and privacy bills.
29	Hawaii	28	3 · Emerging	Medium	Consumer AI framework study.
30	Alabama	28	3 · Emerging	Medium	Health AI follow-ons; data center incentives.
31	Kentucky	28	3 · Emerging	Low	Private-sector framework study; data center incentives.
32	Nevada	28	3 · Emerging	Low	Gaming and hospitality AI rules; 2027 biennial session.
33	Louisiana	26	3 · Emerging	Medium	Chatbot reintroduction; data center energy cost allocation.
34	Indiana	26	3 · Emerging	Low	Data center cost allocation and tax bills.
35	Wisconsin	24	3 · Emerging	Medium	Chatbot reintroduction; data center energy.
36	Vermont	22	3 · Emerging	Medium	Comprehensive consumer AI bill attempts.
37	Montana	22	3 · Emerging	Low	Pro-compute posture; 2027 biennial session.
38	Arkansas	22	3 · Emerging	Low	Light-touch follow-ons.
39	South Carolina	20	3 · Emerging	Low	Data center cost allocation.

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#	State	Score	Tier	Conf.	2027 watch
40	Alaska	18	4 · Quiet	Medium	Minimal.
41	Kansas	18	4 · Quiet	Medium	Reintroduction likely.
42	New Mexico	18	4 · Quiet	Low	Consumer AI bill attempts in 2027 60-day session.
43	Oklahoma	18	4 · Quiet	Low	Light-touch.
44	Delaware	16	4 · Quiet	Low	Commission recommendations.
45	Missouri	16	4 · Quiet	Low	Light-touch.
46	Mississippi	14	4 · Quiet	Low	Light-touch.
47	West Virginia	14	4 · Quiet	Low	Data center incentives.
48	Wyoming	12	4 · Quiet	Low	Minimal.
49	South Dakota	10	4 · Quiet	Low	Minimal.
50	North Dakota	10	4 · Quiet	Low	Minimal; 2027 biennial session.

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5. Forecast calls

The Index publishes probabilities, not adjectives, and grades them. Each call below resolves on a fixed date or event; outcomes and the resulting Brier score will appear in the next edition. Probabilities are A. R. Long Company judgments as of September 2026 and are not revised after publication.

Jurisdiction	Forecast	Prob.	Rationale
Georgia	SB 34 Sen. Chuck Hufstetler (R – Rome), Data center ratepayer-protection bill, large-load cost allocation, passes both chambers in 2027	55%	80% public support claimed by sponsor; failed on procedure, not votes, in March 2026; election-year pressure on power bills; industry now organized against it.
Georgia	SB 540 Sen. Jason Anavitarte (R - Dallas), receives a clarifying amendment narrowing embedded-chatbot scope before Jul 1, 2027 effective date	60%	Platforms have a full session to seek relief; sponsor is Majority Leader; child-safety framing limits how far it narrows.
Georgia	SB 408 Sen. Nan Orrock (D – Atlanta) Democratic authored legislation has low probability to pass; SB 410 Sen. Matt Brass (R – Newnan) Data center sales-tax exemption sunset enacted in 2027, will return	30%	Leadership shelved it in 2026; Chamber alliance mobilized; more likely in 2028 after PSC data matures.
New York	Gov. Hochul signs S 9051 kids chatbot safety by Dec 31, 2026	75%	Consistent with 2025 RAISE Act posture; industry seeking chapter amendments rather than veto.
New York	Gov. Hochul signs A 11560 hyperscale data center moratorium as passed	25%	Economic-development and labor opposition; chapter-amendment or veto more likely.
California	Governor signs at least one chatbots-and-minors bill from the 2026 batch (AB 2023/SB 1119 family)	70%	SB 243 precedent; AB 1064 veto shows limits on private right of action.
Federal	Congress enacts a statute preempting state AI laws (any duration) by Dec 31, 2027	25%	Discussion draft only; Democratic AI commission opposed; state AGs bipartisan against; appropriations vehicle is the plausible path.
Federal	Executive-branch AI Litigation Task Force files suit against at least one additional state AI law by mid-2027	65%	Colorado already targeted; Minnesota challenged by xAI; task force has mandate and budget.
Multistate	At least 10 additional states enact companion-chatbot laws in 2027 sessions	70%	14 enacted by mid-2026; failed bills in FL, VA, WI, NE, KS, AZ, LA, IA, UT are all reintroduction candidates.
Multistate	At least 5 additional states enact insurer AI (no AI-only denial) laws in 2027	65%	Seven states in 2026 (GA, AL, CO, IL, IA, UT, WA); PA and MA bills already advancing; bipartisan and low-cost.

6. State spotlight: Georgia

Georgia enters the Index at #8 with a Heat Score of 61, the highest of any Southeastern state and the highest data-center-pressure component in the country (15 of 15). Two 2026 laws carry fixed effective dates: SB 444 (no AI-only adverse health-coverage decisions) on January 1, 2027, and SB 540 (chatbot disclosure, protections for minors, self-harm response protocols, with no carve-out for chatbots embedded in broader services) on July 1, 2027.

What did not pass matters as much. Every 2026 data center bill failed: the moratorium (HB 1012), the tax-exemption sunsets (SB 408, SB 410), and the bipartisan large-load cost-allocation bill, which died on a procedural adjournment rather than a floor vote. The industry has since organized (a Data Center Coalition presence at the Capitol, the Georgia Chamber's Digital Infrastructure Alliance, the Connected Georgia campaign) while OpenAI's $20 billion Effingham County campus and two other multibillion-dollar filings

arrived in July. The Public Service Commission has already imposed cost-allocation and reporting rules. The Index rates a ratepayer-protection bill at 55% to pass in 2027 and a tax-exemption sunset at 30%.

The Senate's SR 789 study committee on AI meets through the fall of 2026, with the creative industries as a stated focus. Expect its recommendations to seed 2027 bills alongside clarifying amendments to SB 540, which platform operators have one session to secure before the law takes effect.

> **For companies:** SB 444 remediation must be complete in Q4 2026. SB 540 scope questions should be raised in the 2027 session, not litigated after July. Data center developers should assume a cost-allocation statute is more likely than not and plan community and PSC engagement before the first public meeting.

7. Sources and method notes

- Center for Democracy & Technology, 2026 State and Federal AI Legislation Updates — cdt.org/insights/2026-state-and-federal-ai-legislation-updates/
- Transparency Coalition, AI Legislative Update, Aug 7, 2026 — transparencycoalition.ai
- TechPolicy.Press, Where State AI Legislation Stands Half Way Into 2026 (109 laws, 29 states, as of Jul 1, 2026)
- National Law Review, AI Legislation 2026 Legislative Wrap-Up
- Layer3Labs, State AI Laws by State (2026); multistate.ai State AI Legislation Tracker (1,561 bills in 45 states by March 2026)
- Becker's Payer Issues, 7 AI health insurance state laws passed in 2026
- Georgia General Assembly (SB 444, SB 540, SR 789); Georgia Senate Press Office; Inside Climate News on 2026 data center bills; AJC on the Effingham County project
- Sludge, AI Boom on K Street (3,570 federal AI lobbyists, 2025); Nextgov on the Great American AI Act discussion draft

Method notes. Component scores were assigned by A. R. Long Company from the sources above; they reflect enacted law and live legislative pressure as of September 2026, and they will be revised as primary-source review of each state's enrolled bills is completed. Pre-2026 statutes (for example Utah's AI Policy Act, Tennessee's ELVIS Act, Illinois HB 3773) count toward sectoral and comprehensive components. Forecast probabilities are judgments, not model outputs, in this inaugural edition; subsequent editions will report the quantitative model's inputs alongside them.

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