

Senate Substitute for HOUSE BILL No. 2313

By Committee on Federal and State Affairs

3-19

1 AN ACT concerning technology produced by certain foreign countries;
2 relating to artificial intelligence platforms; prohibiting the use of
3 artificial intelligence platforms of concern on state-issued devices and
4 networks; prohibiting medical and research facilities from using genetic
5 sequencers or operational software used for genetic analysis that is
6 produced in or by a foreign adversary.
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8 *Be it enacted by the Legislature of the State of Kansas:*

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

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

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

22 (d) As used in this section:

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

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

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

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

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

34 (ii) republic of Cuba;

35 (iii) islamic republic of Iran;

36 (iv) democratic people's republic of Korea;

1 (v) Russian federation; and

2 (vi) Bolivarian republic of Venezuela.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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