State of Louisiana

AMENDED STATE GOVERNMENT'S USE OF AI

WHEREAS, innovations technologize the way in which the state serves the public;

WHEREAS, recent innovations of artificial intelligence ("AI") and generative AI are transforming commerce, work, and society;

WHEREAS, these innovations will technologize the way in which the state will serve the public in the near future;

WHEREAS, the output and benefit of AI is dependent upon the AI's proprietary algorithms, models, and user input;

WHEREAS, the effectiveness and reliability of AI systems are directly dependent upon the quality, accuracy, completeness, and integrity of the data on which they are provided, recognizing that poor-quality inputs produce poor-quality outputs ("Garbage In, Garbage Out");

WHEREAS, state and federal laws require agencies and educational institutions to protect business, individual, and student data;

WHEREAS, the use of free software, especially those created and operated by nation-states like the Communist Chinese Party ("CCP"), should be strictly prohibited;

WHEREAS, on March 6, 2025, 21 state Attorney General's, including Louisiana's Attorney General, sent a letter to Congress requesting Congress to pass a bill to prohibit government devices from downloading and using the Chinese Communist Party's DeepSeek AI Software to protect our nation's secrets from Chinese espionage;

WHEREAS, on April 16, 2025, the United States Select Committee on the Chinese Communist Party ("Committee") published a report on DeepSeek and found that DeepSeek engages in covert manipulation of information to ensure the results it presents align with CCP propaganda;

WHEREAS, the Committee report warned that DeepSeek funnels Americans' data to the People's Republic of China ("PRC") and is sending Americans' personal information with other CCP linked entities;

WHEREAS, the Committee also found that all data uploaded to servers in the PRC is subject to the country's cybersecurity and intelligence laws, which compel companies to share data with state authorities;

WHEREAS, presidents of post secondary schools should be aware that universities and institutions of higher education have become targets for nation-states. Programs like DeepSeek, a product of the Communist Chinese Party, can produce nefarious results and collect sensitive information and have no place in our universities;

WHEREAS, the use of DeepSeek on government devices and networks has been banned by the United States Department of Commerce and numerous states;

WHEREAS, it is the goal of the State of Louisiana to ensure the use of AI by government agencies is responsible, ethical, beneficial, and trustworthy;

WHEREAS, again, the purpose of this executive order is to emphasize the needs for agencies to ensure that the data placed within AI is secure, uniform, and sanitized. As highlighted, AI is only as good as the information you put into it, Garbage In, Garbage Out;

WHEREAS, the office of technology services has authority over all information technology systems and services for agencies in the executive branch of state government except for agencies excluded by R.S. 39:15.1;

WHEREAS, the Chief Information Officer of the office of technology services serves as the spokesperson for policies, standards, deployment, strategic and tactical planning, acquisition, management, and operations in keeping with industry trends; and

WHEREAS, the Chief Information Officer of the office of technology services is the principal advisor to the governor and executive cabinet on information technology policy, including the acquisition and management of information technology and resources.

NOW THEREFORE I, JEFF LANDRY, Governor of the State of Louisiana, by virtue of the authority vested by the Constitution and laws of the State of Louisiana, do hereby order and direct as follows:

<u>Section 1:</u>   Definitions

Unless the context of this Order clearly indicates otherwise, the words and terms used in this Order shall be defined as follows:

A. "Agency" means a state department, office, division, agency, commission, or board.

B. "Agency Head" means the chief executive or administrative officer of an agency who exercises supervision over the agency.

C. "Artificial Intelligence" or "AI" means a machine-based system that can, for a given set of human-defined objectives, make predictions, recommendations or decisions influencing real or virtual environments. Artificial intelligence systems use machine and human-based inputs to: perceive real and virtual environments; abstract such perceptions into models through analysis in an automated manner; and use model inference to formulate options for information or action.

D. "Chief Information Officer" means the state chief information officer appointed by the Governor pursuant to R.S. 39:15.2.

E. "Confidential Data" means information whose unauthorized disclosure could cause serious, and adverse effects on an agency, third party, supplier, individual, or the State of Louisiana.

F. "Proprietary Information" means any code, pattern, formula, design, device, method, or process which is proprietary or trade secret information which has been submitted to a public body by the developer, owner, or manufacturer of a code, pattern, formula, design, device, method, or process in order to obtain or retain approval of such code, pattern, formula, design, device, method, or process for sale or use in this state.

G. "Restricted Data" means data that requires strict adherence to legal obligations such as Federal, State, or local law, specific contractual agreements, or data specifically designated as restricted data in applicable state or agency policy.

<u>Section 2:</u>   Agency use of any AI source shall first be approved by the Chief Information Officer, or the agency head for agencies outside the scope of the office of technology service, to ensure it is secure and reliable.

<u>Section 3:</u>   No agency shall procure or license the use of AI prior to December 15, 2025.

<u>Section 4:</u>   The Chief Information Officer, or the agency head for agencies outside the scope of the office of technology services, must issue a policy on the acquisition of artificial

intelligence and a policy on information management related to AI use and application no later than December 15, 2025.

Section 5:   The Chief Information Officer, or the agency head for agencies outside the scope of the office of technology services, shall inventory all contracts regarding the use of AI, as well as all use cases of AI currently in place.

Section 6:   Until the policies mandated in Section 4 are implemented, all agencies are prohibited from inputting into any AI system:

   A. Personal identifying information of members of the public

   B. Specific information about tangible or real property

   C. Proprietary information

   D. Confidential data

   E. Restricted data

   F. Any information that would otherwise undermine the cybersecurity or physical security of the state.

Section 7:   Prior to the use of any dataset in an AI system, agencies shall review, analyze, and, as necessary, cleanse such data to identify and mitigate errors, omissions, duplications, and other deficiencies that may compromise the reliability or integrity of AI outputs.

Section 8:   All departments, commissions, boards, offices, entities, agencies, and officers of the State of Louisiana, or any political subdivision thereof, are authorized and directed to cooperate with implementing the provisions of this Order.

Section 9:   This Order is effective upon signature and shall continue in effect until amended, modified, terminated, or rescinded by the Governor, or terminated by operation of law.

IN WITNESS WHEREOF, I have set my hand officially and caused to be affixed the Great Seal of Louisiana in the City of Baton Rouge, on this 29th day of September, 2025.

Jeff Landry
GOVERNOR OF LOUISIANA

ATTEST BY THE SECRETARY
OF STATE

Nancy Landry
SECRETARY OF STATE