Montana Passes "Right to Compute Act"

On April 16, 2025, Montana Governor Greg Gianforte signed the "Right to Compute Act" (SB 212) (the Act), which aims to protect individuals' use of AI by limiting government restrictions. The Act declares that government actions that restrict the ability to privately own or use computational resources infringe on fundamental rights to property and free expression and therefore must be limited to those that are demonstrably necessary and narrowly tailored to serve a compelling government interest. It also requires AI deployers to develop a risk management policy for any AI system that controls, in whole or in part, a critical infrastructure facility.

"Critical infrastructure facilities" include, among other things, petroleum refineries; electric generating facilities; dams regulated by state, federal, or tribal government; aboveground oil, gas, hazardous liquid, and chemical pipelines; and correctional facilities. To meet the requirements of the Act, the risk management policy must consider guidance from NIST, the ISO/IEC 4200 AI standard from the international organization for standardization, or another nationally or internationally recognized risk management framework for AI.

Virginia Governor Vetoes Landmark AI Accountability Bill, Leaving States Watching Closely

On March 25, 2025, Governor Youngkin vetoed the *High-Risk Artificial Intelligence Developer and Deployer Act* (HB 2094), which would have imposed monitoring, transparency, and risk mitigation obligations on companies that develop or deploy AI systems used in consequential decisions, including hiring, lending, and housing. The bill mirrored the Colorado AI Act and would have taken effect in July 2026.

In his veto message, Governor Youngkin cited concerns that the bill would hamper innovation, particularly among start-ups and small businesses. He emphasized that Virginia's existing laws already protect consumers from harms such as discrimination and data misuse, and that new AI-specific rules should not outpace technological realities.

Governor Youngkin's veto coincides with a broader shift in federal AI policy. Since taking office, President Trump has rolled back several Biden-era AI regulations and directed federal agencies to avoid actions that could "create barriers to American AI innovation." The administration's deregulatory stance has opened the door for states to fill the gap—setting the stage for a potentially fragmented national AI regulatory landscape.

Supporters of HB 2094 viewed it as a practical step toward accountability. Among other things, the bill would have required developers of high-risk AI systems to exercise reasonable care to prevent algorithmic discrimination and to equip deployers with information about an AI system's risks and limitations. Deployers, in turn, would have been required to implement risk management programs, conduct impact assessments, and offer consumers clear disclosures and opportunities for recourse when using high-risk AI systems to make consequential decisions.

Despite this veto, legal experts expect states to continue pushing forward with AI regulation efforts, especially as federal oversight recedes.

Still, the veto is a signal to other legislatures: ambitious AI bills may need to strike a more careful balance between consumer protection and business realities—or risk being sent back to the drawing board.