

SENATE, No. 4809

STATE OF NEW JERSEY
222nd LEGISLATURE

INTRODUCED OCTOBER 15, 2026

Sponsored by:
Senator ANDREW ZWICKER
District 16 (Hunterdon, Mercer, Middlesex and Somerset)

SYNOPSIS

Prohibits defendant from asserting autonomous behavior of artificial intelligence as defense in certain civil actions and criminal prosecutions.

CURRENT VERSION OF TEXT

As introduced.



1 AN ACT concerning artificial intelligence and civil and criminal
2 liability, and supplementing Title 56 of the Revised Statutes.

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4 **BE IT ENACTED** *by the Senate and General Assembly of the State*
5 *of New Jersey:*

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7 1. a. As used in P.L. , c. (C.) (pending before the
8 Legislature as this bill):

9 “Artificial intelligence” has the meaning ascribed to it in section
10 2 of P.L.2024, c.49 (C.34:1B-395).

11 b. Civil actions.

12 (1) In an action against a defendant who developed, modified, or
13 used artificial intelligence that is alleged to have caused a harm to
14 the plaintiff, it shall not be a defense, and the defendant may not
15 assert, that the artificial intelligence autonomously caused the harm
16 to the plaintiff.

17 (2) This subsection does not limit or preclude a defendant from
18 presenting any other affirmative defense, including evidence
19 relevant to causation or foreseeability, or other evidence relevant to
20 the comparative fault of any other person or entity.

21 c. Criminal prosecutions.

22 (1) In a prosecution pursuant to Title 2C of the New Jersey
23 Statutes for an offense or a crime, it shall not be a defense, and the
24 defendant may not assert, that the artificial intelligence
25 autonomously caused the harm to the alleged victim.

26 (2) This subsection does not limit or preclude a defendant from
27 presenting any other defense in a prosecution pursuant to Title 2C
28 of the New Jersey Statutes for an offense or a crime.

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30 2. This act shall take effect immediately and shall be applicable
31 to all crimes and offenses not yet barred from prosecution, and to
32 all civil causes of action not yet barred from filing, under the statute
33 of limitations as of the effective date.

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36 STATEMENT

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38 This bill prohibits a defendant from asserting the autonomous
39 behavior of artificial intelligence as a defense in certain civil
40 actions and criminal prosecutions.

41 Under the bill, “artificial intelligence” is defined as the
42 development of software and hardware and the end-use application
43 of technologies that are able to perform tasks normally requiring
44 human intelligence, including, but not limited to, visual perception,
45 speech recognition, decision-making, translation between
46 languages, and generative artificial intelligence, which generates
47 new content in response to user inputs of data.

1 In a civil action against a defendant who developed, modified, or
2 used artificial intelligence that is alleged to have caused a harm to
3 the plaintiff, the bill would prohibit a defendant from asserting that
4 the artificial intelligence autonomously caused the harm to the
5 plaintiff. The bill does not limit or preclude a defendant from
6 presenting any other affirmative defense in a civil action, including
7 evidence relevant to causation or foreseeability, or other evidence
8 relevant to the comparative fault of any other person or entity. The
9 bill also does not alter any existing statutory or common law civil
10 liability frameworks.

11 In a prosecution pursuant to the “New Jersey Code of Criminal
12 Justice” for an offense or a crime, the bill would prohibit a
13 defendant from asserting that the artificial intelligence
14 autonomously caused the harm to the victim. The bill would not
15 limit or preclude a defendant from presenting any other defense.

16 The bill is based on AB316 in California, which was signed into
17 law in October 2025.