

AMENDMENT: Bill No 2338, of 2023

On November 27, 2023, Senator Marcos Pontes presented to the Internal Temporary Committee on Artificial Intelligence in Brazil (CTIA) in the Federal Senate the replacement text (Amendment No 01) to Bill No 2,338/2023 (PL).

The purpose of the PL is to establish a regulatory framework for Artificial Intelligence (AI). The new text brought significant innovations, redesigning the PL's original structure and introducing new devices.

Among the most relevant changes, the following stand out:

- New principles for the development and use of AI systems.
- Exclusion of rights of affected individuals.
- New criteria and system for assessing risk in the use of AI based on the classification of probability and negative impact.
- Obligation to notify the start of development of AI systems and share assessment reports with the competent authority.
- Obligation to include watermarks in content generated by AI systems.
- Assignment of civil liability to developers, operators, and users based on the risk of the AI system.
- Removal of provision to make the use of works protected by copyright more flexible.
- Creation of the National Council on Artificial Intelligence (CNIA), designed to guide and supervise the development and application of AI.
- The competent authority to be designated by the federal government will be responsible for ensuring, implementing, and monitoring compliance with this Law throughout the national territory.

Campos Thomaz Advogados specializes in law and technology. We have a team available to answer any questions and provide legal advice regarding the subject of this release.

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