Forum of Federations
The Global Network on Federalism and Devolved Governance

November 2026

POLICY BRIEF SERIES

GOVERNING ARTIFICIAL INTELLIGENCE IN FEDERAL SYSTEMS

Convergence in Artificial Intelligence Policy Among the American States

Daniel J. Mallinson
Pedro Robles





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Published By:
Forum of Federations

75 Albert Street, Suite 411
Ottawa, ON K1P 5E7
Canada

www.forumfed.org

Suggested citation:

Mallinson, D. J., & Robles, P. (2026). *Convergence in Artificial Intelligence Policy Among the American States*. (Governing Artificial Intelligence in Federal Systems) [Forum of Federations Policy Brief] Forum of Federations.

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KEY TAKEAWAY

The forces driving convergence among the American states on artificial intelligence policies are strong. The downside of such convergence, however, is the formation of a "groupthink" among governments that may be prone to blindspots that lead to policy failure.

> ***The rapid emergence and complexity of AI applications may be pushing states to potentially premature convergence and conformity. It remains unclear whether states have had sufficient time to test alternative policy responses before established models begin to circulate through interstate networks, professional communities, industry guidance, or federal standards.***

THE ISSUE

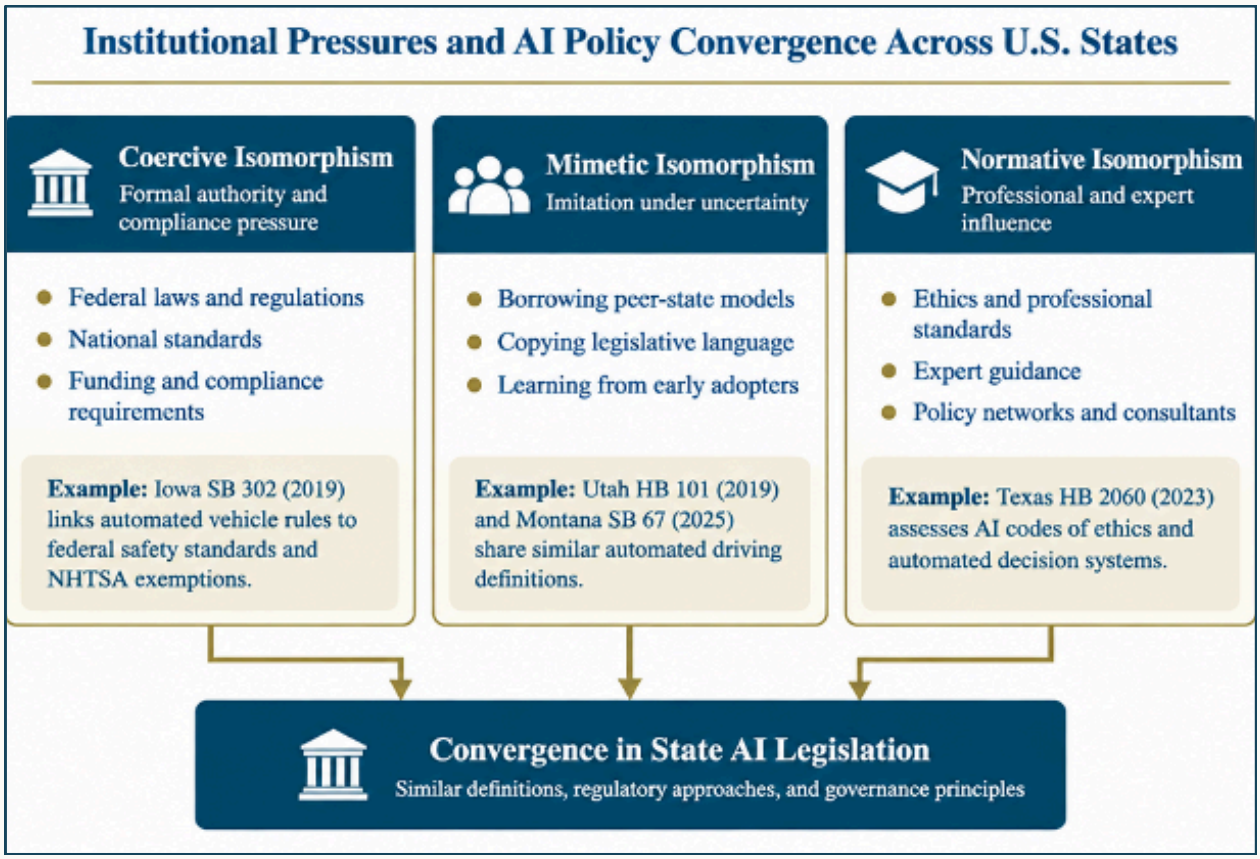
Artificial intelligence (AI) has rapidly emerged as a central policy issue for U.S. state governments. Between 2017 and 2026, states have introduced legislation addressing autonomous vehicles , generative AI, deepfakes , healthcare-related automated decision-making , and much more. As these policies proliferate, state governments are increasingly adopting similar policy language, governance structures, and regulatory approaches. This pattern suggests that AI policymaking is not simply a set of independent legislative choices, but part of a broader process of policy alignment across jurisdictions. That said, state policies are rarely exactly the same. That is why political scientists often refer to them as the " laboratories of democracy ," as they experiment with policies to address emergent social problems.

Laboratories, however, require time to conduct their experiments and report their results. The rapid emergence of AI technology affords governments little time to adapt. Thus, there can be significant pressures for governments to enact policies without really knowing the "best" solutions. The pressure to act quickly can result in governments taking shortcuts and copying legislation from either peer governments that are viewed as leaders or trusted advocacy organizations that have either technical or ideological credibility.

Research on institutional isomorphism seeks to understand why institutions , like governments, become increasingly similar over time. The diagram below shows how coercive, mimetic, and normative pressures may contribute to convergence in AI legislation across U.S. states. **Coercive pressures emerge through formal authority structures, including legislation, judicial rulings, federal mandates, and funding requirements that compel state agencies to adopt similar policies or administrative practices.** Empirical evidence from local government AI adoption demonstrates this mechanism, as regional-government grants tied to the adoption of AI tools significantly increased public managers' willingness to adopt AI. **Mimetic mechanisms are especially pronounced under conditions of uncertainty, where policymakers rely on imitation as a strategy for reducing risk.** This mechanism has also been observed in U.S. state governments, where agencies considering AI chatbots examined and tested systems already used by agencies in other states and exchanged adoption experiences across state boundaries. Finally, **normative mechanisms operate through professionalization and the influence of expert communities, including policy networks, consultants, legal advisors, and intergovernmental organizations**. In U.S. state agencies, such normative pressures operated through professional and intergovernmental networks, including the National Association of State Workforce Agencies, where officials regularly exchanged experiences and discussed chatbot adoption as a response to common administrative problems.

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Public organizations, like state governments, are particularly prone to all three of these forces. Empirical evidence of normative pressure has also been observed in government AI adoption. For example, in Indonesia expectations from academic experts, private-sector actors, government institutions, community stakeholders, and the media increased the urgency for adoption of AI by Jabar Digital Services , a government technology innovation organization in West Java. However, divergence is often an understudied reality even when convergence is happening across institutions. hus, our aim in this brief is to consider both the areas in AI policy where state governments are converging, as well as where divergences remain. The rapid pace of AI technology emergence and rapid policy adoption by the states suggests that convergence forces are strong. The **downside of such convergence, however, is the formation of a "groupthink" among governments that may be prone to blindspots that lead to policy failure**. Given the broadly disruptive nature of AI technology across the economy and within government administration, such failures can have considerable consequences for governments and citizens.



THE FINDINGS

We conducted an institutional isomorphism analysis of 887 AI legislative records from all 50 U.S. states between 2017 and 2025. The findings show that **AI governance has become an increasingly institutionalized area of state policymaking, although convergence does not occur uniformly across states or policy areas**. Instead, the legislative evidence reveals distinct patterns associated with coercive, mimetic, and normative isomorphism. These patterns also overlap within the broader legislative environment, **suggesting that states respond to different sources of institutional influence as AI governance develops**.

Isomorphism Pressures

Our preliminary findings indicate that growing similarity in state AI legislation cannot be attributed to state-to-state learning alone. Coercive pressure appears where legislative provisions connect state action to formal authority, compliance requirements, or external governmental standards. Mimetic pressure is visible where distinctive statutory language reappears across jurisdictions, particularly in definitions and regulatory provisions addressing similar technologies. Normative pressure emerges where legislation relies on professional standards, ethical principles, expert guidance, or recognized practices to define appropriate approaches to AI governance. This broader pattern is consistent with recent research showing that institutional pressures surrounding AI can operate simultaneously rather than through a single mechanism.

Coercive Trends

The coercive analysis provides clear examples of formal authority shaping state policy. Iowa SB 302 (2019), addressing autonomous motor vehicles, requires that a vehicle be "certified by the vehicle's manufacturer to be in compliance with all applicable federal motor vehicle safety standards" and recognizes exemptions granted under federal law or by the National Highway Traffic Safety Administration. The same bill requires vehicle owners to report accidents to law enforcement authorities and comply with existing statutory requirements. These provisions illustrate coercive pressure through identifiable legal authority rather than mandatory terminology alone. The institutional relationship **connects state regulation to federal safety standards and established compliance requirements.**

> ***"Growing similarity in state AI legislation cannot be attributed to state-to-state learning alone. Institutional pressures surrounding AI can operate simultaneoulsy rather than through a single mechanism."***

THE FINDINGS

Mimetic Trends

Mimetic patterns are visible through direct similarities in legislative language across states. Utah HB 101 (2019) and Montana SB 67 (2025), for example, contain closely aligned definitions of a Level 4 automated driving system. Both provisions describe a system capable of performing the entire dynamic driving task within its operational design domain and reaching a minimal-risk condition following a system failure or departure from that domain. The pair shows approximately 85 percent lexical similarity, with 65 aligned words identified through local text alignment. A related pattern appears in Illinois HB 4875 (2023) and Nevada A73 (2025), where both states define artificial intelligence as a machine-based system that infers from inputs to generate predictions, content, recommendations, or decisions. This pair shows approximately 98 percent lexical similarity and a 36-word exact sequence. These findings are consistent with prior research showing that governments frequently look to peer jurisdictions when uncertainty surrounds new technologies .

Normative Trends

Normative evidence follows a different pattern. Rather than relying primarily on repeated text, these provisions invoke standards of appropriate practice, ethical expectations, or expert guidance. Montana HJR 4 (2025), for example, directs policymakers to research "an artificial intelligence code of ethics" for state agencies and examine related transparency requirements and citizen protections. Florida SB 1680 (2024) similarly calls for guidance on legislative reforms and the creation of a state code of ethics for artificial intelligence systems in state government. Texas HB 2060 (2023) directs a state council to assess the need for an AI code of ethics and review the effects of automated decision systems on residents' legal rights. Across the normative sample, **recurring expressions include codes of ethics, professional standards, subject-matter expertise, evidence-based practices, industry standards, accreditation, and professional qualifications**.

Taken together, our findings extend previous institutional research into the legislative environment of state AI governance. Coercive mechanisms appear through identifiable relationships of authority and compliance. Mimetic mechanisms are reflected in measurable reuse of legislative language across jurisdictions. Normative mechanisms emerge through recurring reliance on expertise, ethical expectations, and professional standards. Prior studies have identified these pressures in organizational behavior and technology adoption. Our analysis shows that comparable institutional patterns are also observable in the statutory language through which states construct AI governance. The distinction matters because legislative convergence can arise through several institutional relationships , even when the resulting bills appear similar on the surface.

Maturity of the AI Domains

Mature policy domains, such as consumer privacy and autonomous transportation, **show more established patterns of institutional influence,** whereas **newer areas** such as generative AI and algorithmic governance continue to **display greater variation in how**

THE FINDINGS

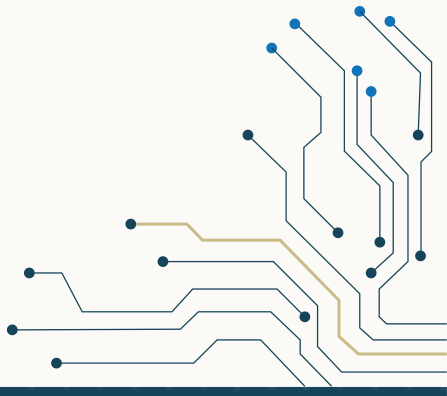
states define and structure policy responses. The three-force analysis suggests that this difference is not explained by policy age alone. **In established domains, coercive requirements, recurring statutory language, and professional standards provide states with clearer institutional reference points**. **In newer domains, these signals are less settled, and states continue to experiment with definitions, oversight structures, ethical expectations, and implementation models**. This pattern is consistent with prior research showing that the relative strength of institutional pressures can change as technologies and governance norms become more established.

Local Policy Adaptation

Institutional convergence and policy fragmentation occur simultaneously. States **increasingly adopt common governance principles while continuing to tailor implementation to their own legal, political, and administrative contexts**. The three-force analysis provides several examples of this pattern. Vermont HB 410 (2022) places a state code of ethics within the work of its artificial intelligence division. Texas SB 1964 (2025) addresses the same normative foundation more specifically by requiring its AI code of ethics to include guidance for deployment and heightened-risk systems aligned with the National Institute of Standards and Technology AI Risk Management Framework. Both states rely on an ethical framework for public-sector AI, yet Texas translates that principle into a more explicit standards-based structure. The common foundation is recognizable, but the institutional design remains state specific.

A similar pattern appears in legislation governing synthetic media. Arizona SB 1359 (2024) and Rhode Island SB 816 (2025) contain closely aligned requirements for audio-only disclosures when manipulated media cannot include a visual notice. Both require a clearly spoken disclosure at the beginning and end of the recording and at intervals when the recording exceeds two minutes. Rhode Island retains the core structure while modifying elements of the drafting and implementation language. This example shows **how a recognizable policy approach can travel across jurisdictions without producing identical statutory language**.

Shared foundations also appear in technical definitions. Maine HB 1204 (2018) defines an automated driving system as the hardware and software capable of performing the dynamic driving task on a sustained basis. Arkansas HB 1561 (2019) adopts nearly the same definition, with approximately 87 percent lexical similarity, 34 aligned words, and a 26-word exact sequence. The shared definition creates a common technical foundation, even though each state incorporates that language into its own transportation framework and statutory context.



THE FINDINGS

This pattern should be interpreted cautiously. The analysis identifies recurring legislative language and institutional mechanisms, but it does not establish that states coordinated intentionally to create a common federal framework. Rather, **the evidence is consistent with a more decentralized process in which common approaches accumulate across jurisdictions as states respond to similar technological problems and draw from overlapping legal, professional, and policy resources**. Together, these patterns indicate that state AI policymaking develops within a broader institutional environment shaped by interstate legislative reuse, governmental authority, professional expectations, and emerging governance standards . The resulting network is not organized around a single source of influence. Instead, **states appear to combine language and institutional guidance from several sources as they construct their own approaches to AI governance.**

> ***"State AI policy making develops within a broader institutional environment shaped by legislative reuse, governmental authority, professional expectations and emerging governance standards."***

POLICY LESSONS

A hallmark of federal systems is that subnational units have the power and resources to experiment with solutions to emergent policy problems and formulate effective solutions that can be nationalized. The preliminary findings of this analysis, however, suggest that the rapid emergence and complexity of AI applications may be pushing states to potentially premature convergence and conformity. It **remains unclear whether states have had sufficient time to test alternative policy responses before established models begin to circulate through interstate networks, professional communities, industry guidance, or federal standards**. The earlier examples in this study suggest that this process can unfold quickly. Legislative language first developed in one jurisdiction can reappear years later in other states, sometimes across multiple policy domains. Professional standards can reinforce those emerging approaches by giving them greater legitimacy. Formal requirements can then embed selected practices more deeply within regulatory structures. From this perspective, convergence may occur before states have accumulated enough evidence to evaluate competing policy designs.

This possibility is especially important in a federal system where policy experimentation is expected to generate information through variation. **Rapid convergence can reduce that variation before its value has been fully realized**. The concern is not whether a particular policy is inherently "good" or "bad." Rather, an early policy model may gain institutional momentum before its effectiveness is well understood. Once a model is reproduced across jurisdictions, reinforced through professional networks, and incorporated into statutory requirements, subsequent revision can become more difficult. The resulting policy lesson is one of timing: convergence may provide needed coherence, yet premature institutionalization can narrow the range of alternatives available for future learning.

Some potential policy recommendations based on these findings include the following:

Recommendation 1:
National governments should preserve conditions that allow subnational experimentation to continue.

The findings suggest that AI policy can move quickly from experimentation toward convergence as legislative models circulate across jurisdictions and become reinforced through institutional pressures. This creates a reason for national governments to avoid selecting a single regulatory model before states have had sufficient opportunity to evaluate alternatives. States are regulators of first resort and important sites of experimentation in emerging technology policy. **Practically, preserving experimentation requires more than leaving states to operate independently.** A national framework can establish common governance principles without prescribing a single administrative structure.

Accordingly, national policy could establish minimum protections in areas such as accountability, transparency, privacy, civil rights, and risk management, then **allow states discretion over the institutional mechanisms used to achieve those goals**. Federal grants could support pilot programs without conditioning resources on adoption of one

POLICY LESSONS

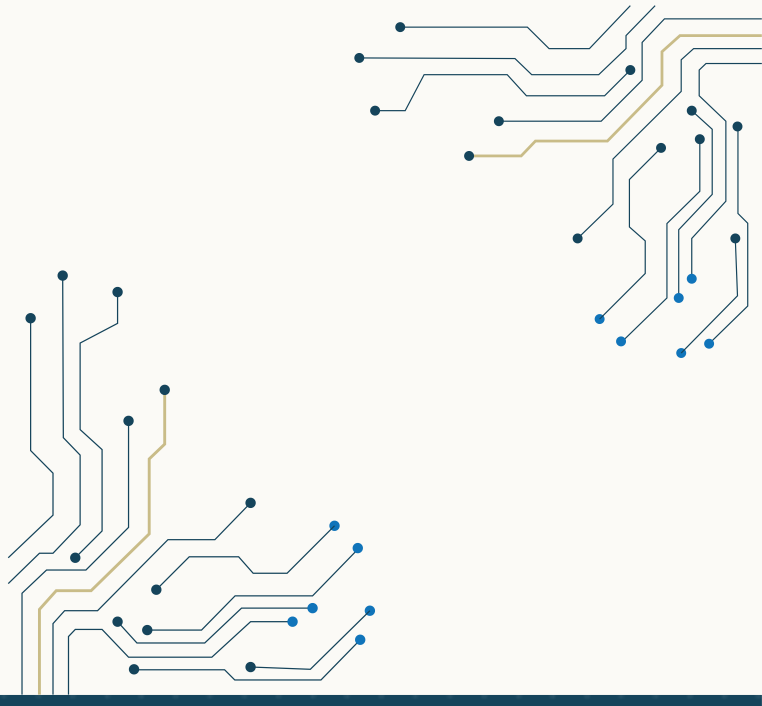
preferred governance model. Regulatory sandboxes could provide controlled environments for testing emerging approaches. Sunset provisions could require reconsideration once implementation evidence becomes available. Common reporting requirements could make those experiments comparable across jurisdictions. The objective is not regulatory variation for its own sake. It is to preserve enough meaningful variation to determine which approaches perform effectively before convergence becomes difficult to reverse.

Recommendation 2:
National governments should strengthen professional and intergovernmental networks that support cross-state policy learning.

Our findings on normative isomorphism make this recommendation particularly important. Across the legislative evidence, recurring mechanisms include codes of ethics, subject-matter expertise, evidence-based practices, professional standards, accreditation, stakeholder engagement, and technical advisory committees. These patterns indicate that **policy development does not occur solely through formal legislative relationships.** Professional communities help states interpret unfamiliar technologies, evaluate alternative approaches, and develop shared expectations about appropriate governance.

Recommendation 3:
National coordination should seek common foundations without eliminating local adaptation.

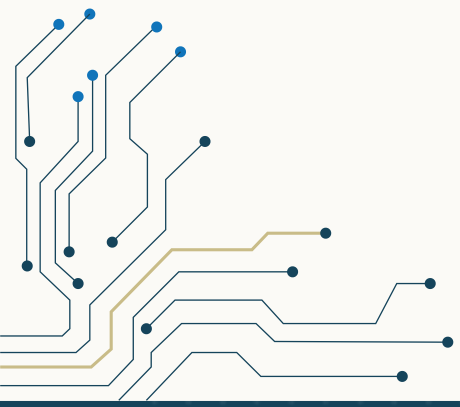
This recommendation follows directly from the coexistence of convergence and variation observed in the analysis. States increasingly draw from similar legislative language, professional standards, and regulatory principles. They continue to embed those elements within different administrative and legal structures. A cohesive governance framework can provide common expectations where fragmentation creates genuine risks, particularly in areas such as privacy, accountability, discrimination, transparency, and safety. **Local discretion remains valuable where implementation depends on institutional capacity, sectoral conditions, or state administrative arrangements.**



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Recommendation 4:
Federal policy should create mechanisms for reassessing approaches that begin to converge rapidly.

Our mimetic isomorphism findings show that statutory language can persist across jurisdictions for many years. The normative isomorphism findings demonstrate how professional expectations can strengthen recurring governance concepts. The coercive results reveal a further stage where selected practices become tied to formal authority, compliance requirements, or external standards. **Taken together, these processes create the possibility of institutional lock-in before policy effectiveness is fully understood**. For this reason, **periodic review should accompany efforts to build a more cohesive governance framework**. Sunset provisions, independent impact assessments, comparative state evaluations, structured reporting, and scheduled legislative review could create opportunities to reconsider approaches as evidence accumulates. **A cohesive national framework should remain capable of adaptation** as AI technology changes .



Taken together, these recommendations point toward a model of coordinated experimentation. States remain valuable sites for testing governance approaches. Professional and intergovernmental networks allow lessons from those experiments to travel. National institutions can establish common protections and improve interoperability. Periodic review can prevent early models from becoming unnecessarily entrenched.

AI governance benefits from common principles and institutional coordination, yet those foundations must remain adaptable enough to accommodate policy learning, sectoral differences, and technological change.

> ***"States remain valuable sites for testing governance approaches. Professional and intergovernmental networks allow lessons from those experiments to travel. National institutions can establish common protections and improve interoperability."***

References

Abrory, Y., Fahlevvi, M. R., & Tambi, N. (2025). Understanding institutional pressures of artificial intelligence adoption in Indonesia government: Study case on Jabar Digital Services. *Jurnal Studi Pemerintahan*, 16(2), 192–225. https://doi.org/10.18196/jsp.v16i2.407

Attard-Frost, B., Brandusescu, A., & Lyons, K. (2024). The governance of artificial intelligence in Canada: Findings and opportunities from a review of 84 AI governance initiatives. *Government Information Quarterly*, 41(2), 101929. https://doi.org/10.1016/j.giq.2024.101929

Abrory, Y., Fahlevvi M. R., & Tambi, N. (2025). "Understanding Institutional Pressures of Artificial Intelligence Adoption in Indonesia Government: Study Case on Jabar Digital Services." *Jurnal Studi Pemerintahan* 16 (2): 192-225. https://jsp.umy.ac.id/index.php/jsp/article/view/407

Attard-Frost, B., Brandusescu, A., & Lyons, K. (2024). "The governance of artificial intelligence in Canada: Findings and opportunities from a review of 84 AI governance initiatives." *Government Information Quarterly* 41 (2): 101929. https://www.sciencedirect.com/science/article/pii/S0740624X24000212

Beckert, J. (2010). "Institutional Isomorphism Revisited: Convergence and Divergence in Institutional Change*." *Sociological Theory* 28 (2): 150-166. https://journals.sagepub.com/doi/abs/10.1111/j.1467-9558.2010.01369.x

Chen, T., Gascó-Hernandez, M., & Esteve, M. (2024). "The Adoption and Implementation of Artificial Intelligence Chatbots in Public Organizations: Evidence from U.S. State Governments." *The American Review of Public Administration* 54 (3): 255-270. https://journals.sagepub.com/doi/abs/10.1177/02750740231200522

DiMaggio, P. J., & Powell, W. W. (1983). "The Iron Cage Revisited: Institutional Isomorphism and Collective Rationality in Organizational Fields." *American Sociological Review* 48 (2): 147-160. http://www.jstor.org/stable/2095101

Dorrell, R. M., & Jansa, J. M. (2022). "Copy, paste, legislate, succeed? The effect of policy plagiarism on policy success." *Policy & Politics* 50 (4): 605-623. https://doi.org/10.1332/030557321X16445954252430

Frumkin, P., & Galaskiewicz, J. (2004). "Institutional Isomorphism and Public Sector Organizations." *Journal of Public Administration Research and Theory* 14 (3): 283-307. https://doi.org/10.1093/jopart/muh028

Garrett, K. N., & Jansa, J. M. (2015). "Interest Group Influence in Policy Diffusion Networks." *State Politics & Policy Quarterly* 15 (3): 387-417. https://doi.org/10.1177/1532440015592776

Hansen, E. R., & Jansa, J. M. (2021). "Complexity, resources and text borrowing in state legislatures." *Journal of Public Policy* 41 (4): 752-775. https://doi.org/10.1017/S0143814X20000252

Hong, S., Kim, S.H., & Kwon, M. (2022). "Determinants of digital innovation in the public sector." Government Information Quarterly 39 (4): 101723. https://doi.org/10.1016/j.giq.2022.101723

References

Jansa, J. M., Hansen, E. R., & Gray, V. H. (2019). "Copy and Paste Lawmaking: Legislative Professionalism and Policy Reinvention in the States." *American Politics Research* 47 (4): 739-767. https://doi.org/10.1177/1532673X18776628

Jansa, J. M., & Mallinson, D. J. (2025). "Linking Policy Design and Policy Diffusion to Advance Both Theories: Evidence from the Elements, Attributes, and Adoptions of Uniform Law Commission Model Legislation." *Policy Studies Journal* 53 (3): 747-773. http://doi.org/10.1111/psj.12591

Karch, A. (2007). *Democratic Laboratories: Policy Diffusion among the American States*. Ann Arbor, MI: University of Michigan Press.

Kohler, S. (2025). *Technology Federalism: U.S. States at the Vangaurd of AI Governance*. Carnegie Endowment for International Peace (Washington, DC). https://carnegieendowment.org/research/2025/02/technology-federalism-us-states-at-the-vanguard-of-ai-governance

Mallinson, D. J., Robles, P., Best, E., & Azevedo. L. (2026). "AI's Future is in the States, If the Federal Government Allows." *Publius: The Journal of Federalism* Forthcoming. https://doi.org/10.1093/publius/pjag017

Robles, P., Azevedo, L., Best, E., & Mallinson, D. J. (2026). "Building Trust in Government AI: Balancing Innovation and Privacy in Healthcare Services." *Public Organization Review*. https://doi.org/10.1007/s11115-026-01018-z

Robles, P., & Mallinson, D. J. (2023). "Catching Up with AI: Pushing Toward a Cohesive Governance Framework." *Politics & Policy* 51 (3): 355-372. https://doi.org/10.1111/polp.12529

---. (2024). "Policy Learning and the Diffusion of Autonomous Vehicle Policy in the American States." *State and Local Government Review* 56 (4): 335-358. https://journals.sagepub.com/doi/abs/10.1177/0160323X241262816

---. (2025). "Advancing AI governance with a unified theoretical framework: a systematic review." *Perspectives on Public Management and Governance* 8 (4): 213-227. https://doi.org/10.1093/ppmgov/gvaf013

Rodriquez Müeller, A. P., Tangi, L., & Lerusse, A. (2025). "Understanding the Adoption of Artificial Intelligence in Local Government Decision-Making: The Influence of Institutional Pressures and Managerial Perceptions." *Public Administration Review* Early View. https://doi.org/10.1111/padm.70033

Ugwuoke, V., & Sanfilippo, M. R. (2025). "The Current Landscape of Deepfake Legislation in the United States: Analysis of State-Level Responses." *Journal of Information Policy* 15: 97-129. https://doi.org/10.5325/jinfopoli.15.2025.0004

ACKNOWLEDGMENTS

Authors

Daniel J. Mallinson is an Associate Professor of Public Policy and Administration and Founding Director of the Public Policy Lab at Penn State Harrisburg.

Pedro Robles is an Assistant Teaching Professor of Cyber Analytics and Operations at Penn State Lehigh Valley.

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