

# **Attachment A**

**ITAM-0551 Artificial Intelligence Policy**

# COUNTY OF SANTA BARBARA

## INFORMATION TECHNOLOGY ADMINISTRATIVE MANUAL

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|--------------|--------------------------------|----------------|-------------|
| SUBJECT:     | ARTIFICIAL INTELLIGENCE POLICY | ITEM NUMBER:   | ITAM-0551   |
| OWNER:       | INFORMATION TECHNOLOGY         | ADOPTION DATE: | MM/DD/20YY  |
| APPROVER(S): | COUNTY BOARD OF SUPERVISORS    | REVIEW DATE:   | MM/DD/20YY  |
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### I. Purpose

The County of Santa Barbara is committed to harnessing the power of Artificial Intelligence (AI) in a human-centric, responsible, ethical, transparent, inclusive, and secure way. This policy outlines the requirements for County departments to leverage AI effectively for improved efficiency, better decision-making, and enhanced service delivery for residents. This approach will accelerate service delivery, improve County services for residents, and empower our employees.

### II. Audience

The audience for this policy is all County employees, contractors, and third parties who access County networks or systems.

### III. Scope

This policy applies to the use of AI within the County for:

- All departments, employees, contractors, and third parties involved in developing, deploying, and utilizing AI within or on behalf of the County of Santa Barbara.
- All cases where AI functionality is known to be included, such as enhancements for existing products, new products being considered for use, or AI technology developed by County of Santa Barbara employees, contractors, or third party for County use.

Where a conflict exists between this Policy and a third-party policy, the more restrictive policy should take precedence unless an exception exists under applicable law. Users shall consult with their supervisor or manager to inquire about any additional guidance the third parties may have regarding usage, or the user may send an email with their inquiry to [sbcaisteerco@countyofsb.org](mailto:sbcaisteerco@countyofsb.org)

### IV. Definitions

Artificial Intelligence (AI): The field of computer science focused on creating machines and software that can perform tasks that normally require human perception, reasoning, learning, decision-making, or language processing. The legal definition of AI as defined by the State of California is: "An engineered or machine-based system that varies in its level of autonomy and that can, for explicit or implicit objectives, infer from the input it receives how to generate outputs that can influence physical or virtual environments."

Artificial Intelligence Prompt: A prompt is a user-provided input—such as a question, instruction, or statement—designed to guide an AI system's response. Prompts play a key role in shaping how AI systems perform, influencing the accuracy, tone, and relevance of their outputs.

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Generative AI (GenAI): A type of AI that can create new content, such as text, images, music, audio, or video, using generative models.

Generative Model: A mathematical model that learns from data and then produces new data that has similar characteristics.

Human-in-the-Loop (HITL): The requirement that human judgment is involved at key stages of an AI system's operation—such as design, decision-making, or review. This ensures oversight, accountability, and the ability to intervene, when necessary, particularly in high-risk or sensitive use cases.

Informed Consent: Expressed permission given by an individual relating to the performance of a given service by the County impacting their personal privacy or rights under law.

Large Language Models (LLMs): Advanced AI systems trained on extensive text data to understand and generate human-like language. They can perform tasks such as drafting text, answering questions, and summarizing information.

Limited Memory AI: A form of AI that mimics the human brain's ability to retain information and learn from past experiences.

Pre-Trained Model: A model that is already trained on a large amount of data and is available online for use or adaptation.

Third-Party Data Risk: Data sent by the County of Santa Barbara to third parties could be used in the third party's use of AI tools.

### V. Policy

#### A. Introduction

This policy encompasses the use of all AI technologies, with a particular focus on Limited Memory AI technologies, such as Generative AI, given that Generative AI represents the predominant form of AI currently in use.

Examples of tasks that Generative AI may assist with include but are not limited to:

- Emails and letters (refining writing, grammar, spelling and style suggestions, and transforming complex concepts into plain language)
- Outlines or summaries of information
- Transcriptions of audio recordings and live meetings
- Dataset insights and graph generation
- Code development or debugging
- Spreadsheet calculations
- Translating written material to other languages

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- Document or information sorting/indexing
- Editing/Creating promotional or marketing materials
- Blog posts, reports, and other publication generation
- Policies and job descriptions (County document drafting/editing)
- Memoranda and similar documents
- Research
- Simplifying interactions and improving ease of access for constituents

The development of Artificial Intelligence (AI) capabilities is developing at an exponential rate. Using AI within the County's environment, as well as within the public domain, comes with certain risks. Using AI raises concerns such as:

- the potential risk of releasing confidential information,
- understanding ownership of and responsibility for AI-created content,
- California Public Records Act and Brown Act considerations, etc.

The County will regularly review and update this policy to keep it aligned with ethical and legal standards, applicable law, and accepted practices. Additionally, the accuracy of the content created by these technologies cannot be relied upon, as the information may be outdated, protected by copyright, misleading, or fabricated. For more information, refer to the [County's Guidance on Artificial Intelligence](#).

### B. Ethical & Responsible Use

AI technologies shall not be used to create content that is inappropriate, malicious, discriminatory, or otherwise harmful to others or the County. This includes generating inappropriate or unprofessional material, spreading false or misleading information, using AI in ways that could damage people or systems, creating biased or unfair outcomes, or doing anything that could harm others or the County's reputation, data, or operations. Ethical use of AI includes recognizing and using the technology in a manner that accounts for its inherent biases, informs others of its use, and protects the privacy and security of the community we serve, as well as the County.

AI use shall follow all applicable laws, regulations, and County policies. Employees should also reference the [County's Guidance on Artificial Intelligence](#) for additional guidance on how to use AI technology ethically. In the event that employees inadvertently expose or release sensitive or confidential data, create inappropriate content, or access data they are not authorized to view, they should promptly inform their department's Information Security Officer (DISO) or the County's AI Transformation Coordinator.

#### 1. Data Privacy and Security

Each employee is responsible for using AI tools in a manner that ensures the

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security of sensitive information and aligns with County policies, including but not limited to the [County of Santa Barbara Information Technology Administrative Manual Policies](#), [Anti-Harassment Policy](#), and [Civil Service Rules](#).

Employees shall also comply with all data privacy and security standards of their department when using AI technologies. These include, but are not limited to, the data security standards found in:

- Health Insurance Portability and Accountability Act (HIPAA),
- Criminal Justice Information Systems (CJIS),
- Internal Revenue Service (IRS),
- California Consumer Privacy Act (CCPA) to protect Personally Identifiable Information (PII),
- Protected Health Information (PHI),
- or any other data that may be considered sensitive.

Employees must treat AI prompts as if they were publicly visible online, and be advised that AI prompts, data inputs, and outputs may be subject to the California Public Records Act and the Freedom of Information Act.

### 2. Bias and Discrimination

AI technologies can produce biased and discriminatory results. When using AI tools, users must follow AI best usage practices that minimize bias, incorporate multiple viewpoints, and regularly review outputs to ensure fairness and accuracy, as should be done for all content. Best practices and descriptions of types of bias can be found in the [County's Guidance on Artificial Intelligence](#).

Users should be particularly cautious using AI products for public-facing and decision-making activities and should always include human review. Some activities that AI shall not be used for include, but are not limited to:

- Reviewing, narrowing down, or selecting potential new employees;
- Reviewing, narrowing down, or selecting employees for promotions;
- Reviewing, narrowing down, or selecting proposals submitted by potential vendors responding to request for proposals (RFP) or grant applications; or
- Decisions about health care, benefits, or any other type of activity that might exclude an option from otherwise being considered.

In the examples of actions listed directly above, AI should only be used as part of an information gathering activity or to draft a letter, email, or other document, where the final decision on how to proceed is left up to a human ("human-in-the-loop").

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### 3. Vendor and Consultant AI Tool Considerations

Effective January 1, 2026, Vendors shall comply with [AB 2013 \(Artificial Intelligence Training Data Transparency\)](#), which requires companies deploying generative AI tools in California to disclose the sources and nature of the data used to train their systems. Vendors must provide the County with sufficient documentation demonstrating compliance, including details on data provenance, licensing, and any measures taken to protect intellectual property rights.

In addition, in response to legislative changes, the Vendor shall modify all services and/or products as necessary to ensure compliance with new legal requirements. These modifications shall be provided to the County at no additional cost. In the event that such modifications disable or significantly impair contracted services, Vendor shall offer the County a mutually agreed service credit or alternative remedy.

### 4. AI Usage Consent

Where applicable to CA statute, external third parties shall be informed when they are interacting with an AI tool or when a County employee will be using an AI tool in their interactions. When possible and reasonable, the County shall provide an “opt-out” alternative to using AI tools. AI-developed content shall follow the [County's Guidance on Artificial Intelligence](#) regarding Citation and Reference.

## C. Roles and Responsibilities

The County's [Acceptable Use Policy](#) (ITAM-0550) describes roles and responsibilities related to technology use and security, which are also relevant to this policy, but below are additional responsibilities related to artificial intelligence (AI).

### 1. Departmental Responsibilities

Given the risks associated with using AI, all AI technologies must be reviewed using the [County's AI vetting](#) process for security and compliance before they are implemented in order to ensure data protection, legal compliance, and adherence to County policies, covering the following key areas:

#### i. Data Access and Protection:

- Identification of the types of data AI technologies will access; and
- Assurance that data will be adequately protected against unauthorized access.

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ii. Third-Party Data Usage:

Clarification on the vendor's intentions with the County's data, including:

- Utilization for AI platform training purposes; and
- Potential sale or use of insights derived from County data.
- Mitigating Third Party Data Risk.

iii. Legal and Regulatory Compliance:

- Evaluation of AI deployment against existing laws, regulations, and County policies to prevent legal violations.
- Departments shall comply with existing laws, regulations, and policies, as they pertain to their respective departments and data, including but not limited to HIPAA, CJIS, CMIA, CCPA, IRS, EEOC, Civil Service Rules, Department Code of Conduct, County AUP, and HR policies.

iv. Security Assessment:

- Completion of a security review by the County Information Security Officer to identify and mitigate potential vulnerabilities.
- Ensure AI platforms in use meet the security standards of external systems (i.e. State and Federal systems) when utilized with said systems.

v. Contractual and Legal Safeguards:

- Review by County Counsel and Risk Management of all contracts or terms of use to ensure they contain adequate legal protections for the use and confidentiality of County data.

This comprehensive due diligence process is designed to safeguard both the County's interests and users of AI technologies.

vi. Stricter Guidelines for Certain Professions

Certain professions and use cases within the County are subject to stricter guidelines due to their potential impact on the public. For example, California Assembly Bill 3030 (AB 3030) mandates that any healthcare entity—such as hospitals, clinics, or physician offices—that employs GenAI tools to generate responses for patient communications must:

- Clearly inform patients when communication has been generated by artificial intelligence.

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- Provide explicit instructions on how patients can directly contact a human healthcare provider without the use of AI-generated responses.

In meetings with other health professionals and health associations and using AI for 'minute taking', all participants should be aware that AI will be recording and discussions of PHI should be minimized.

### 2. User Responsibilities

Users are all workforce members authorized to access County IT resources, and include all County of Santa Barbara employees and contractors, partner agencies, or other stakeholders as applicable by agreement. Users are responsible for:

- Reviewing this policy to ensure that they understand the risks of using AI tools and how to use them in a safe, secure, and compliant manner.
- Using artificial intelligence responsibly by adhering to this policy, the County's guidelines document, and the County standards as developed.
- Ensuring that no County confidential, restricted, personal, proprietary, or protected data of any kind, including data that is not owned by the County, is shared or used with these platforms without performing a due diligence and compliance review per department policies. In the event of a data lapse, see the Ethical & Responsible Use section above regarding reporting to your Departmental Information Security Officer (DISO) or the County's AI Transformation Coordinator.
- Protect Personally Identifiable Information (PII), Protected Health Information (PHI), or any sensitive data in generative AI prompts or AI systems that do not meet legal and regulatory standards to process or hold said data.
- Ensuring the quality, accuracy, and regulatory compliance of all content that employees produce under the scope of their employment. The same standards of accountability apply to AI-generated content and original work produced by the employee. The County should regularly monitor and evaluate approved AI products to ensure they are meeting security and risk management criteria.
- Citing the source of AI-generated content.
- Ensuring that AI is not used as a substitute for a Subject Matter Expert's professional judgment in contexts that require specialized advice or where legal mandates necessitate human oversight.
- Clarifying questions or concerns by reaching out to department IT contacts for department-specific guidance or County ITD at [sbcaisteerco@countyofsb.org](mailto:sbcaisteerco@countyofsb.org) regarding AI and/or approved AI applications.



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### 3. AI Steering Committee Responsibilities

- Annually or more frequently as needed, review and make recommendations on AI policies and standards.
- Assess capabilities, review use cases, and make recommendations for AI solutions.
- Act as a pilot group for testing Countywide AI solutions, or as requested by departments.
- Serve as a point of contact for AI-related questions.

### D. Transparency

1. The use of AI systems should be explainable to those who use and are affected by their use.
2. The use of AI should be cited or disclosed where required by law, regulation, or departmental or County policy. The use of AI should also be cited or disclosed in a work product when AI contributes substantially to such work product, such as when AI is used:
  - In decision-making that affects services, eligibility, or rights, and such decision is included in the work product;
  - In analysis, evaluation, or interpretation of data, trends, or outcomes, and such analysis, evaluation, or interpretation is included in the work product;
  - To prepare recommendations, findings, or conclusions in the work product;
  - To record, transcribe, or summarize interactions with clients, patients, or community members;
  - To generate 75% or more of the content in the final version of a work product.
3. Citations or disclosures are not required for incidental AI functions—meaning the embedded or background use of AI within standard software or systems that enhance productivity, accessibility, or usability (e.g. spell-check, grammar correction, translation, or search)—provided employees verify the accuracy, integrity, and appropriateness of the final content.
4. Citation format and content for the use of AI should follow the policies, standards or laws that require the citation. Where none is specified, refer to the format in the [County's Guidance on Artificial Intelligence](#).

### E. Continuous Learning

When County-provided AI training becomes available for County employees and users, employees should complete all assigned training to ensure appropriate use of AI, data handling, and adherence to County policies on a continuing basis.

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Employees using AI tools are encouraged to educate themselves on effective and appropriate AI usage for their work.

**VI. Non-Compliance**

**A. Consequences of Non-Compliance**

- Employees who fail to adhere to this policy may be subject to disciplinary action in accordance with civil service rules. Contractors and third parties that fail to adhere to this policy may face contractual penalties.
- Inappropriate release (especially intentional) of data and information and unauthorized access to computing resources may constitute a violation of civil and criminal law, which could result in penalties, fines, and criminal sentences.
- Disciplinary actions will be determined based on the severity and frequency of the violation(s), as well as any previous history of non-compliance.

**B. Investigation and Enforcement**

- Reports of non-compliance will be investigated promptly and thoroughly by the appropriate supervisory authority or designated investigative team.
- Users are expected to cooperate fully with any investigations into potential violations of this policy.

**C. Remediation**

- Users found to be in non-compliance may be required to undergo additional training on IT policies and procedures.
- Depending on the nature of the violation, Users may also be required to take corrective actions to mitigate any harm or risk resulting from the non-compliance.

| VERSION | CHANGE          | AUTHOR   | DATE OF CHANGE |
|---------|-----------------|----------|----------------|
| 1.0     | Initial Release | <Person> | MM/DD/20YY     |
|         |                 |          |                |