



SB 859

Sponsor: Mike Moon

Path to full text: <https://www.senate.mo.gov/26info/pdf-bill/intro/SB859.pdf>

PART 1 – QUICK SNAPSHOT

1.1 One-Paragraph Overview

SB 859 (“AI Non-Sentience and Responsibility Act”) creates a new section in Chapter 1 declaring that artificial intelligence is **non-sentient**, can **never** be treated as a legal person, spouse, corporate officer, or property owner, and that **humans and human institutions always remain responsible** for what AI does. It defines “AI,” “developer,” “manufacturer,” “owner,” and “person” (explicitly excluding AI from personhood for this section). It then sets liability rules so that owners/users, and in some cases developers/manufacturers, are on the hook when AI causes harm, and it allows courts to pierce the corporate veil if shell entities are used to dodge responsibility. Finally, it requires safety measures, possible risk assessments, and notification of authorities if AI causes very serious harm, effective for AI systems developed or operated on or after August 28, 2026.

1.2 Triage Table

- **Single-subject (Art. III §23)**
 - **Yes.** One clear subject: legal status and liability rules for AI systems, accurately reflected in the title “relating to artificial intelligence.”
- **Does it grow government?**
 - **No.** It doesn’t create new agencies or taxes, but it adds broad statutory liability language, vague references to “required” risk assessments, and reporting to “relevant authorities,” which could support expanded regulatory and litigation burdens in the future.
- **Overall impact on Missouri families:**
 - **Helps.** It strongly rejects AI personhood and keeps moral and legal responsibility on human beings.
- **Alignment with Act for Missouri core beliefs:**

- **Supports.** It supports a biblical, pro-human view of personhood and marriage, and reinforces personal responsibility, but some drafting could be tightened to better protect limited government and economic freedom.
 - **Recommended stance:**
 - **Support.**
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PART 2 – PURPOSE & PROVISION MAP

2.1 Stated Purpose

Apparent purpose (in plain English):

To make it crystal clear that AI is *not* a person, cannot hold human-like legal statuses, and to ensure that **real people and real organizations** remain legally responsible for any harm caused when they deploy AI systems.

Title accuracy:

The title—“To amend chapter 1, RSMo, by adding thereto one new section relating to artificial intelligence”—is short but accurate. It matches the content; nothing in the bill strays outside AI status and liability.

2.2 Provision-by-Provision Map

Provision 1 – Definitions and Scope

- **Location:** §1.2045.1–2.
 - **What it does:** Names the act, and defines “artificial intelligence,” “developer,” “emergent properties,” “manufacturer,” “owner,” and “person,” with “person” meaning a natural person or legally recognized entity, **explicitly excluding any AI system** (for this section).
 - **Tag: Good.**
 - **Why:** Clear definitions are helpful, and explicitly excluding AI from personhood keeps the focus on human responsibility while allowing future human-personhood protections (including unborn personhood) to plug into this framework.
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Provision 2 – AI is Non-Sentient and Not a Person

- **Location:** §1.2045.3–4.
- **What it does:** Declares that for all purposes of state law, AI systems are non-sentient, cannot be granted personhood, and are not to be considered conscious or self-aware.

- **Tag: Good.**
 - **Why:** Directly counters transhumanist/“AI rights” narratives and affirms that only humans (not machines) can be persons in law.
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Provision 3 – No AI “Marriages” or Personal Unions

- **Location:** §1.2045.5.
 - **What it does:** Forbids recognizing AI as a spouse or domestic partner; any attempt to marry or form a personal union with an AI is void.
 - **Tag: Good.**
 - **Why:** Protects the uniqueness of human marriage and family relationships from technological parody.
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Provision 4 – AI Cannot Be a Corporate Officer or Manager

- **Location:** §1.2045.6.
 - **What it does:** Prohibits AI systems from being designated or serving as officers, directors, managers, or similar roles in corporations or other entities; such appointments are void.
 - **Tag: Good.**
 - **Why:** Ensures corporate decision-makers remain accountable humans, not algorithms that can’t be held morally responsible.
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Provision 5 – AI Cannot Own Property

- **Location:** §1.2045.7.
 - **What it does:** AI cannot hold title to any property (real estate, IP, financial accounts, digital assets). All such assets are attributed to the human individuals or organizations responsible for the AI.
 - **Tag: Good.**
 - **Why:** Prevents using AI as a legal shell to hide or shield assets and keeps economic control attached to real persons and entities.
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Provision 6 – Liability for Harm Caused by AI

- **Location:** §1.2045.8.
 - **What it does:** Makes owners/users responsible for **any direct or indirect harm** caused by an AI’s operation, output, or recommendation, whether used as intended or misused; developers/manufacturers can be liable under ordinary product-liability principles for defects, but misuse or intentional wrongdoing by users does not automatically shift blame to them.
 - **Tag: Mostly Good.**
 - **Why:** Correctly emphasizes personal responsibility and product liability, but “any direct or indirect harm... when used as intended or misused” is very broad and could be stretched to reach remote or unforeseeable harms.
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Provision 7 – Oversight and Safeguards

- **Location:** §1.2045.9.
 - **What it does:** Requires owners to keep proper oversight and control over AI systems that could affect human welfare, property, or public safety; failure to provide safeguards can be negligence or another basis for liability.
 - **Tag: Mixed / Slight Concern.**
 - **Why:** Encourages responsible use, but “proper oversight” and “foreseeable risks” are open-ended standards that courts or regulators could interpret in ways that burden smaller users.
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Provision 8 – AI Cannot Bear Fault or Liability

- **Location:** §1.2045.10.
 - **What it does:** States that AI cannot bear legal fault or liability; you can’t blame “the AI” to avoid responsibility.
 - **Tag: Good.**
 - **Why:** This is the core moral principle of the bill—machines are tools, not moral agents.
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Provision 9 – Safety Mechanisms and Risk Assessments

- **Location:** §1.2045.11.
- **What it does:** Says developers, manufacturers, and owners shall prioritize safety mechanisms and notes that “regular evaluations or risk assessments may be required” to identify dangerous/faulty outputs, especially in high-risk tasks.

- **Tag: Good / Concern.**
 - **Why:** “May be required” by *whom* and under what authority? This vague phrase could become a hook for burdensome and unbounded regulatory schemes.
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Provision 10 – Piercing the Corporate Veil for AI Harm

- **Location:** §1.2045.13.
 - **What it does:** Allows courts to pierce the corporate veil and hold parent companies, controlling entities, or key stakeholders directly liable if AI-related entities were intentionally undercapitalized, used to misrepresent/obscure liability, or tightly controlled to evade responsibility for AI-caused harm.
 - **Tag: Good / Concern.**
 - **Why:** Targets genuine shell-game abuse (good), but statutory veil-piercing language specific to AI may invite creative lawsuits and uncertainty for legitimate businesses.
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Provision 11 – Mandatory Notification of Authorities

- **Location:** §1.2045.14.
 - **What it does:** Requires owners or developers to promptly notify “relevant authorities” and cooperate with investigations in “severe incidents” involving significant bodily harm, death, or major property damage.
 - **Tag: Good / Concern.**
 - **Why:** Public safety matters, but “relevant authorities” and what counts as “major” or “significant” are undefined, which can create confusion and opportunities for selective enforcement.
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Provision 12 – Applicability Date

- **Location:** §1.2045.15.
 - **What it does:** Applies the section to AI systems developed, owned, deployed, or operated on or after August 28, 2026.
 - **Tag: Neutral.**
 - **Why:** Prospective application is fair, but you may want clarity on how it interacts with existing systems upgraded after that date.
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2.3 Changes to Existing Law

- **Statute affected:** Adds new §1.2045 to **Chapter 1, RSMo** (general statutory provisions).
 - **Substantive change:**
 - Missouri law currently doesn't explicitly address AI personhood, AI marriage, AI corporate roles, or AI property ownership. This bill would lock in a **strong anti-AI-personhood position**, ensuring that in any future disputes, AI cannot be treated as a legal person or scapegoat.
 - It also injects specific rules into tort and corporate law: who bears liability for AI harm, expectations for oversight and safety, and situations where courts may disregard corporate separateness to reach parent companies or key stakeholders.
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PART 3 – CONSTITUTIONAL & PROCESS CHECKS

3.1 Missouri Single-Subject & Original-Purpose

- **Main subject:**
Legal status and liability of artificial intelligence under Missouri law.
- **Additional subjects or policy areas:**
All provisions remain tied to AI status, AI's inability to hold legal roles, and allocation of responsibility when AI is used; there are no unrelated riders.
- **Title vs. content:**
The title plainly states it relates to artificial intelligence; it doesn't hide any major effect.
- **Original purpose:**
With one new section added to Chapter 1, there's no indication of a bait-and-switch or omnibus drift.

Conclusion: Likely complies with single-subject and clear-title requirements under Article III, §23.

3.2 U.S. & Missouri Constitutional Rights

- **Missouri Bill of Rights / U.S. Bill of Rights:**
 - No direct restrictions on speech, religion, assembly, or firearms.
 - No direct search/seizure or data-access provisions.
 - No direct equal-protection or due-process issues on their face.
- **Property rights & due process:**

- The veil-piercing language may affect corporate property rights by making it easier for courts to reach parent entities and stakeholders, but it is aimed at cases of intentional undercapitalization, misrepresentation, or abusive corporate structuring—areas where courts already pierce the veil in equity.
- Because the section is prospective and still requires proof of abuse, it appears consistent with due process, though you may want clearer legislative findings to guide courts.

Overall, no obvious constitutional violations; the main concern is **vagueness**, not clear conflict with enumerated rights.

3.3 Delegation & Unelected Power

- **Delegation:**
 - The bill does *not* create a new agency or explicitly delegate rule-making power. Most of its effect will play out through courts applying negligence and corporate law standards.
 - However, the phrase “Regular evaluations or risk assessments may be required” is ambiguous about **who** may require them (courts? regulators? private contracts?).
- **Unelected power / filling in the blanks:**
 - Because this sits in Chapter 1, future regulators and courts could cite it when designing AI rules; the vague “may be required” language could be interpreted as legislative blessing for new risk-assessment mandates without explicit, narrow standards.
 - The reporting duty to “relevant authorities” likewise hints at future regulatory expectations without spelling them out.

Assessment: No blatant separation-of-powers problem, but several clauses are open-ended enough that Act for Missouri recommends clarifying language to contain future bureaucratic mission-creep.

PART 4 – IMPACT ON MISSOURI FAMILIES

4.1 Economic, Tax, and Utility Impacts

- **Direct costs:**
SB 859 doesn’t impose taxes, fees, or utility charges on families. There’s no appropriation or new program.
- **Indirect costs:**

- Broader liability language (“any direct or indirect harm”) and veil-piercing standards may **raise legal and insurance costs** for businesses, churches, and nonprofits that use AI tools (e.g., accounting software, communication tools, content filters).
- **Short-term vs. long-term:**
 - **Short-term (1–2 years):** Limited effect as the law would apply prospectively and courts will need time to interpret it.
 - **Long-term (5+ years):** Could shape a more cautious AI environment in Missouri—good for safety, but slow innovation (not necessarily a bad thing considering the speed that AI is progressing) and increasing cost of doing business if courts and regulators read it aggressively.

4.2 Freedom, Parental Rights, and Education

- **Direct impact:**
The bill doesn’t regulate schools, DESE, curricula, or parental rights over education or health.
- **Indirect impact:**
 - By insisting that AI can’t be a legal person or corporate decision-maker, it strengthens the principle that **human authorities**—school boards, administrators, parents—are accountable for AI-driven decisions in education, not “the algorithm.”

Net effect on parental rights and family freedom:

Positive—it reinforces the idea that human beings, not machines, are in charge and responsible.

4.3 Moral & Cultural Climate

- **Human uniqueness:**
Declaring AI non-sentient, rejecting AI personhood, and forbidding AI “marriages” or personal unions aligns with a biblical view that only human beings, made in God’s image, can be persons and enjoy covenant relationships like marriage.
- **Responsibility culture:**
The focus on human liability and the rejection of “the AI did it” excuses encourage a culture of responsibility rather than blame-shifting to technology.

Net impact on Missouri families: Helps. It strengthens a pro-human, pro-responsibility culture, with some risk of over-lawyering that can be managed with tighter language.

PART 5 – ACT FOR MISSOURI CORE PRINCIPLES CHECK

- **100% Pro-Life:**

- **Status: Not directly implicated / Potentially compatible.**
- The bill defines “person” only for this section and explicitly excludes AI, but it does not touch abortion or unborn children.

If Missouri adds unborn personhood in other statutes or the Constitution, this framework would naturally treat them as persons (since it includes “any entity recognized as having legal personhood under the laws of the state”).

- **Christian & Biblical Values:**

- **Status: Supports.**
- Rejects AI personhood and AI “marriage,” keeps human beings as moral agents, and emphasizes responsibility and stewardship over powerful tools.

- **Property Taxes & Economic Freedom:**

- **Status: Mixed (minor).**
- No property-tax provisions, but potential for increased liability and compliance costs could indirectly burden economic freedom if courts/regulators overreach.

- **Literal / Original-Intent Constitutionalism:**

- **Status: Mixed / Generally supportive.**
- Conceptually respects clear categories (human vs. machine; tool vs. person). However, some vague standards (risk assessment “may be required,” undefined “relevant authorities”) are not models of precise, limited lawmaking.

- **Right to Bear Arms:**

- **Status: Not implicated.**

- **State Sovereignty & Tenth Amendment:**

- **Status: Supports / Neutral.**
- No federal funding, no reference to federal standards. Missouri is simply setting its own AI baseline.

- **Nuclear Family & Parental Rights:**

- **Status: Supports (symbolically).**
- By forbidding AI “spouses” or personal unions, and insisting that only humans can hold these roles, it protects the meaning of family relationships against strange tech-driven experiments.

- **Homeschool Protection:**

- **Status: Not implicated.**

- **Currency & Financial Control:**
 - **Status: Not implicated.**
 - “Financial accounts” and “digital assets” are mentioned only to say AI cannot own them.

There is no CBDC/FedNow language.

- **Election Integrity:**
 - **Status: Not implicated.**
- **Government Transparency:**
 - **Status: Not implicated directly.**
 - Investigations after serious AI incidents might touch transparency in practice, but the bill doesn’t address Sunshine or records law.

PART 6 – SPECIAL TOPIC TESTS (2025 PRIORITIES)

6.1 Amendment 3 / Personhood & Equal-Protection Test

- SB 859 does **not** mention abortion, reproductive freedom, IVF, or constitutional rights related to life.
- The definition of “person” for this section explicitly excludes AI but is otherwise tied to whatever Missouri law recognizes as persons; it neither helps nor hurts equal protection for unborn children directly.

Result: Not implicated, but compatible with future unborn personhood language.

6.2 Surveillance, Digital-ID, and Data-Hub Test

- The bill applies to all AI, including AI that *could* be used in surveillance—but it does **not** create or expand:
 - digital IDs,
 - biometric systems,
 - statewide databases, or
 - camera networks or always-on monitoring.

Result: Not directly implicated. If anything, by clarifying liability, it might help hold agencies/companies accountable when AI-driven surveillance tools harm Missourians.

6.3 Utilities, Energy Policy, Data-Center / Big-User Test

- No utility, energy, water, or data-center provisions.

Result: Not implicated.

6.4 Federal Money & Strings

- No federal grants, matching funds, or conditions mentioned.

Result: Not implicated.

6.5 Model-Legislation / Agenda 21 & 2030 / Globalism

- The language reads like a home-grown liability and status statute, with no Agenda 21/2030 buzzwords (“sustainable development,” “equity,” etc.).
- Emphasis is on **limiting** AI’s legal status rather than integrating with global frameworks.

Result: No obvious globalist fingerprints.

PART 7 – RED FLAGS, AMENDMENT SUGGESTIONS, & FINAL RECOMMENDATION

7.1 Red-Flag List (Most Serious First)

1. **Red Flag #1 – Vague “risk assessments may be required” language**
 - **Location:** §1.2045.11.
 - **Issue:** Does not say who requires the evaluations or under what legal authority, leaving the door open to expansive regulatory or quasi-regulatory demands without clear legislative limits.
2. **Red Flag #2 – Very broad “direct or indirect harm... used as intended or misused” liability**
 - **Location:** §1.2045.8.
 - **Issue:** Could be stretched to blame owners/users for remote or unforeseeable harms flowing from AI outputs, encouraging trial-lawyer overreach and chilling legitimate AI use by small organizations.
3. **Red Flag #3 – Undefined duty to notify “relevant authorities”**
 - **Location:** §1.2045.14.

- **Issue:** “Relevant authorities,” “significant bodily harm,” and “major property damage” are not defined, which can create confusion, over-reporting, or selective enforcement.

4. **Red Flag #4 – Statutory veil-piercing focused on AI**

- **Location:** §1.2045.13.
- **Issue:** While targeting genuine abuse, it could be used to pierce the corporate veil more aggressively in AI cases than in others, creating uncertainty for Missouri businesses and investors.

7.2 Possible Fixes / Amendments

Here are some possible amendments Act for Missouri suggests:

1. **Protect human and unborn personhood explicitly.**

- Add to §1.2045.2(6):

“Nothing in this subdivision shall be construed to limit or narrow the meaning of ‘person’ as applied to human beings, including unborn children, under the laws or constitution of this state.”

2. **Narrow the “direct or indirect harm” standard.**

- In §1.2045.8, change to something like:

“Any **reasonably foreseeable direct harm** caused by an AI system’s operation, output, or recommendation, when used as intended or in a manner reasonably foreseeable to the owner or user...”

- Clarify that owners/users are not liable for remote, unforeseeable misuse by third parties beyond their control.

3. **Clarify who can “require” risk assessments.**

- In §1.2045.11, amend to:

“Regular evaluations or risk assessments may be required **by applicable law, regulation, or contract...**”

- Add that this section does **not itself** grant new rule-making authority or create any standalone duty beyond existing law.

4. **Tighten veil-piercing language.**

- In §1.2045.13, keep the three abuse scenarios but add:

“Nothing in this subsection shall be construed to alter general principles of corporate law for entities that are adequately capitalized and not used to misrepresent or evade responsibility for AI-related harms.”

5. Define “relevant authorities” and relate to existing reporting duties.

- In §1.2045.14, specify:

“Owners or developers... shall promptly notify **law-enforcement or regulatory agencies with jurisdiction over the incident, where such notification is otherwise required by state or federal law...**”

These changes would preserve the bill’s strong pro-human, anti-AI-personhood core while reining in potential overreach.

7.3 Final Recommendation

Recommended stance: *Support*

SB 859 is directionally strong: it clearly rejects AI personhood, AI “marriage,” and the idea that machines can evade human responsibility, and it anchors liability in human actors consistent with a Christian, pro-life, pro-family, limited-government worldview.

At the same time, several vague phrases about “indirect harm,” required risk assessments, veil-piercing, and reporting to “relevant authorities” create openings for regulatory and litigation creep that could burden Missouri families, churches, and small businesses who use AI tools in ordinary ways. These could easily be tightened up. Even without the suggested changes, Act for Missouri confidently champions SB 859 as a pro-human, pro-responsibility framework for AI in Missouri.