



The Texas AI Law and Your Firm

A statute-accurate brief for Texas-domiciled professional services

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THE 60-SECOND BRIEF

LAW	Texas Responsible AI Governance Act (HB 149)
SIGNED	June 22, 2025 by Gov. Greg Abbott
EFFECTIVE	January 1, 2026 (currently in force)
APPLIES TO	Any firm doing business in Texas, selling to Texas residents, or developing or deploying AI inside the state
PENALTIES	\$10,000 to \$200,000 per violation, plus \$2,000 to \$40,000 per day for continuing violations
ENFORCER	Texas Attorney General (no private lawsuits)
CURE PERIOD	60 days after AG notice of violation
SAFE HARBOR	Affirmative defense for substantial compliance with the NIST AI Risk Management Framework

WHAT TRAIGA ACTUALLY PROHIBITS

HB 149 names five intent-based prohibitions. For a typical Texas law firm, CPA practice, financial advisory, or accounting firm, two of them are the live exposure:

- 1. Intentional unlawful discrimination through AI.** Developing or deploying an AI system with intent to unlawfully discriminate against a protected class, or to infringe constitutional rights. Insurers and federally insured financial institutions get a carve-out when complying with their existing regulators; everyone else is in the open.
- 2. Incitement and behavioral manipulation.** AI systems designed to push a person toward self-harm, harm to others, or criminal activity.

The remaining three prohibitions cover government-agency disclosure failures, healthcare-provider disclosure failures, and government social scoring. They apply only when your firm is acting in that capacity.

TRAIGA is intent-based, not risk-tier-based like Colorado SB 205 or the EU AI Act. Most legitimate business use of HubSpot, Clio, Karbon, Pipedrive, or Salesforce Einstein sits outside the prohibited zone. The exposure shows up when a firm cannot document intent, testing, or oversight if the Attorney General asks.

THE SAFE HARBOR (THIS IS THE WHOLE GAME)

HB 149 builds in an affirmative defense for firms that show good-faith compliance with the NIST AI Risk Management Framework, and protects firms that catch and remediate issues through internal review, red-teaming, or stakeholder feedback.

Govern

Written AI use policy, a named accountability owner, vendor disclosures on file.

Map

Inventory every AI-touched workflow; classify where consequential decisions get made.

Measure

Testing notes, fairness checks, monitoring logs showing the system did what you said.

Manage

Remediation playbook documented before the AG ever asks for it.

For most professional services firms a defensible NIST mapping runs 4 to 8 hours of scoping plus a deliberate documentation sprint, well short of a six-figure compliance overhaul.

WHERE PRO-SERVICES FIRMS CARRY QUIET EXPOSURE

Client intake and CRM · Clio Duo, MyCase IQ, HubSpot Breeze, Salesforce Einstein. Features that score, route, or auto-respond to prospective clients are consequential-decision touchpoints.

Document review and research · Harvey, Spellbook, CoCounsel, Karbon AI, Blue J. Citation hallucinations and review-without-disclosure are the typical failure modes.

Hiring and personnel · Greenhouse, Lever, Paradox, Eightfold. Hiring AI is the cleanest path to a discrimination claim under TRAIGA.

Communications and scheduling · GoHighLevel voice receptionists, Intercom Fin, Zoom AI Companion. Disclosure and consent gaps live here.

Marketing · Jasper, Writer, ad targeting AI. Watch for protected-class proxies in audience targeting.

THE 30 TO 60 DAY MAPPING SPRINT

A defensible NIST mapping for a typical small-to-mid Texas firm:

- Week 1: inventory every AI-touched workflow across the firm
- Weeks 2 to 3: map each workflow to the four NIST functions
- Weeks 4 to 5: build the policy, accountability, and vendor-disclosure layer
- Weeks 6 to 8: run a red-team pass on the highest-risk workflow and document the fix loop
- Outcome: a binder (or a structured Notion / SharePoint set) the AG would see as good-faith compliance if a complaint ever landed

Honest limits: the sprint is operating-side scaffolding, not a legal opinion or a substitute for your outside counsel. It is the documentation layer the lawyers ask you for and that your insurer wants in writing.

NEXT STEP · 30-MIN EXPOSURE CALL

A free 30-minute call to map your firm's exposure tier and what the right next move looks like. No pitch deck.

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Assessment halandigital.com/traiga-readiness



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Operating-side guidance, not legal advice. Specific questions about your firm's exposure or licensing should go to your outside counsel.