



October 27, 2025

The Honorable Thaddeus Claggett, Chairman
Ohio House Technology and Innovation Committee
1 Capitol Square
Columbus, Ohio 43215

Re: Support for H.B. 392 – The Ohio Right to Compute Act

Dear Chair Claggett, Vice Chair Workman, Ranking Member Mohamed, and members of the House Technology and Innovation Committee,

I write to express my strong support for House Bill 392, the Ohio Right to Compute Act.

As Director of Public Policy at the Abundance Institute, I spend my time studying policies that safeguard access to computational tools essential to sustaining innovation, freedom, and prosperity in the AI era. In my recent public commentary, I've emphasized that the ability to compute is the modern extension of the freedom to think, build, and create.

By introducing this bill, Representatives Fischer and Demetriou have shown genuine national leadership. H.B. 392 rightly recognizes that computing power is not a mere convenience—it is the foundation of technological progress, economic growth, and civic participation. Computational freedom is not a privilege to be granted by the government but a natural extension of rights we already possess that should be protected by the government.

The bill's focus on limiting unnecessary government interference in lawful computing, coupled with prudent safeguards for AI-controlled critical infrastructure through risk-management policies aligned with NIST and ISO standards, reflects a balanced and forward-looking approach. It protects freedom while promoting responsibility, a model other states would do well to follow.

As the Committee refines the text, I would respectfully encourage one modest enhancement that would strengthen Ohio's framework and align it more closely with the landmark Montana Right to Compute Act (SB 212) enacted earlier this year.

Specifically, I recommend clarifying the bill's definition of "compelling governmental interest."

Montana's version defines this as "*a government interest of the highest order in protecting the public that cannot be achieved through less restrictive means,*" and it enumerates examples such as ensuring AI risk-management in critical infrastructure, addressing fraud, and protecting minors from harmful synthetic content.

While Ohio's current language shares a similar spirit, its phrasing could—unintentionally—invite overly broad interpretations. A loosely defined "compelling governmental interest" could allow

future regulators to justify wide-ranging restrictions on computing resources in the name of safety or convenience, effectively mooted the bill's core protection. Such elasticity would risk turning what is meant to be a shield for innovation into a clause that permits the very overreach it seeks to prevent.

By adopting Montana's precise, constitutional formulation, Ohio can prevent that outcome. Clear, narrowly tailored language ensures the right to compute remains protected except in truly extraordinary circumstances. It provides future courts and regulators with firm guidance that this freedom is fundamental—not merely conditional.

Another possible enhancement of this bill could be the addition of a dedicated section that clearly outlines the procedural steps for citizens and corporations seeking to dispute potential violations. This would involve detailing the avenues available; from initial informal discussions with regulatory bodies to more formal appeal processes. It could also clarify the evidence and documentation required at each stage. Such an inclusion would not only empower regulated parties with a clear understanding of their rights and the dispute mechanism but also further differentiate Ohio's approach by highlighting its commitment to accessible and transparent conflict resolution. My colleagues and I would be happy to work with the sponsors on how such a section could be written.

In conclusion, H.B. 392 marks an historic step forward in affirming computational liberty as a cornerstone of human and economic flourishing. By codifying these principles, Ohio positions itself as a beacon for innovation-friendly governance, demonstrating that freedom and safety can coexist in the AI age.

Thank you for your leadership on this issue and for the opportunity to contribute to this important conversation. Please consider me and the Abundance Institute a resource as the Committee advances this vital legislation.

Respectfully,

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The Abundance Institute is a mission-driven non-profit focused on creating space for emerging technologies to grow, thrive, and have a chance to reach their full potential.

For more information, visit <https://abundance.institute>. Contact: bryce@abundance.institute

https://themercury.com/commentary-protecting-our-right-to-compute-a-new-frontier-for-freedom/article_caa5093e-040c-11f0-b3d0-63929ef4e745.html

Commentary: Protecting our right to compute — A new frontier for freedom

Taylor Barkley Tribune News Service

Mar 18, 2025

America is at a crossroads regarding the regulation of Artificial Intelligence (AI). On the federal level, President Donald Trump and Vice President JD Vance advocate for an approach that empowers innovation: “Let people build.”

This sentiment was echoed in Vance’s recent Paris AI Summit speech. However, across the states, a different story is unfolding. Policymakers are grappling with a surge of AI regulations — over 600 bills proposed in just two months, by one count. This flurry of activity raises a critical question: How do we balance necessary safeguards with the freedom to innovate?

Fortunately, some states are leading the way with a pro-AI innovation approach. Montana and New Hampshire are considering “right to compute” proposals that could serve as a model for the nation. New Hampshire is exploring a constitutional amendment to protect this right, while a bill in Montana, SB 212, the “Right to Compute Act,” would establish a fundamental right to own and use a wide range of computational resources. These initiatives aim to ensure citizens can access and utilize digital technology without undue restrictions, unlocking the full potential of AI in healthcare, education, and the economy.

Montana's SB 212, sponsored by Senator Daniel Zolnikov, which just unanimously passed the state Senate, would elevate the right to compute to the same level as property rights and free expression. Any government limits on technology would face strict judicial scrutiny, requiring a "demonstrably necessary" reason and a "compelling government interest" in health or safety. This approach protects lawful innovation and ownership of devices, software, and AI systems from excessive government interference.

A key feature of Montana's bill is the "human-in-the-loop" safeguard for AI systems operating critical infrastructure. This provision mandates a reliable mechanism to revert to human control, along with annual risk management policy testing. This balances AI's advantages with public safety, mitigating the risks of unchecked autonomy.

New Hampshire's proposed Constitutional Amendment Concurrent Resolution 6 (CACR 6) seeks to enshrine the "Right to Compute" in the state constitution. The amendment would add Article 2-c, stating: "The right of individuals to freely access, use, and employ computation resources, including devices and networks essential for computation, shall not be infringed. No law or regulation shall impose discriminatory rates, restrictions, or limitations that unreasonably burden this right."

Sponsored by Representatives Keith Ammon, Bob Lynn, and Lex Berezhny, this amendment would need legislative approval and then a supermajority vote in the November 2026 general election to take effect.

The "right to compute" is rooted in the principle that individuals should be free to use technology without unnecessary government barriers. While one could argue this right is already implied, the current wave of AI regulations necessitates explicit protection. Unlike states proposing strict pre-deployment regulations that stifle innovation, Montana and New Hampshire offer a balanced model: minimizing government interference while implementing safeguards against genuine harm.

It's crucial to emphasize: the right to compute is not a license to do wrong. Existing laws address harmful actions. Freedom should only be limited when it demonstrably causes harm to others, not based on hypothetical risks. Many AI regulatory proposals fall into the trap of duplicating existing laws, leading to confusion and unnecessary costs. Protecting the right to compute fosters an environment where innovation and creativity can flourish.

The actions in Montana and New Hampshire exemplify a better path forward for AI policy. Their prioritization of innovation, echoed by leaders like Trump and Vance, should inspire other states and national governments to embrace a future where technology empowers, rather than restricts, individual freedom.