



## The Right to Compute: An Educational Overview

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### UNDERSTANDING THE CONCEPT

The “Right to Compute” is an emerging idea in state legislation that connects individual freedom with access to technology. The policy affirms that individuals and businesses have a constitutional right to use and develop digital tools, including artificial intelligence, software, and private servers. It also introduces sensible guardrails for how AI is deployed in critical infrastructure, ensuring public safety without stifling innovation.

This policy aligns access to computing with the founding ideals of liberty, ownership, and human advancement. It is a significant step forward in ensuring people can control their own data, protect their privacy, and engage with technology on their own terms. Importantly, the law limits the government's ability to impose restrictive regulations and leaves the door open for carefully crafted rules when truly necessary, and only under strict scrutiny.

### CONSTITUTIONAL AND POLICY CONTEXT

The legislation draws on constitutional principles by applying standards familiar from other fundamental rights: restrictions must be necessary, narrowly tailored, and designed to serve a compelling public interest. This balance ensures that digital freedoms are protected, while still allowing room for limited oversight when essential.

### WHY STATES ARE CONSIDERING THIS

Across the country, state legislatures have introduced more than 1,000 AI-related bills in 2025 alone. This rapid growth has created a patchwork of rules that can lead to confusion, uncertainty, and barriers for innovators and small businesses. The “Right to Compute” approach seeks to provide clarity by establishing a consistent framework for how computing resources and AI tools may be accessed and used.

In April 2025, Montana became the first state to enact such legislation (SB 212), positioning itself as a leader and offering a model for others to examine.

### Desired Policy Outcomes:

- Economic Growth: Attract investment and encourage local innovation.
- Public Safety: Provide oversight for high-risk areas without broadly limiting access.
- Individual Freedom: Safeguard the right to use technology for lawful purposes.
- Limited Government Intervention: Prevent unnecessary or overly restrictive regulations.

## **BROADER SIGNIFICANCE**

By outlining and protecting the right to own, access, and use computational resources, including hardware, software, and AI systems, these laws aim to foster an environment where innovation can flourish responsibly. Right to Compute policy gives states a chance to lead, offering a free-market solution that promotes economic opportunities, supports innovation, and provides smart, limited guardrails to protect the public. In short, it protects citizens while helping build a strong, responsible, and innovative digital ecosystem.

