1   Amend reengrossed bill, strike everything below the enacting and clause
2   and substitute:
3   "**SECTION 1.** In Colorado Revised Statutes, 2-3-1701, **amend**
4   (1) and (12) as follows:
5   **2-3-1701. Definitions.** As used in this part 17, unless the context
6   otherwise requires:
7   (1) (a) "Artificial intelligence" OR "ARTIFICIAL INTELLIGENCE
8   SYSTEM" means ~~systems that can:~~
9   ~~(a) Perceive an environment through data acquisition, process and~~
10   ~~interpret the derived information, and take actions or imitate intelligent~~
11   ~~behavior to achieve a specified goal; and~~
12   ~~(b) Learn from past behavior and results and adapt their behavior~~
13   ~~accordingly~~ ANY MACHINE-BASED SYSTEM THAT, FOR ANY EXPLICIT OR
14   IMPLICIT OBJECTIVE, INFERS, FROM THE INPUTS THE SYSTEM RECEIVES,
15   HOW TO GENERATE OUTPUTS, INCLUDING CONTENT, DECISIONS,
16   PREDICTIONS, OR RECOMMENDATIONS, THAT CAN INFLUENCE PHYSICAL OR
17   VIRTUAL ENVIRONMENTS.
18   (12) "Task force" means the ~~task force for the consideration of~~
19   ~~facial recognition services~~ ARTIFICIAL INTELLIGENCE IMPACT TASK FORCE
20   created in section 2-3-1707.
21   **SECTION 2.** In Colorado Revised Statutes, **repeal and reenact,**
22   **with amendments,** 2-3-1707 as follows:
23   **2-3-1707. Artificial intelligence impact task force - creation -**
24   **membership - duties - compensation - staff support - report -**
25   **definitions - repeal.** (1) **Definitions.** AS USED IN THIS SECTION, UNLESS
26   CONTEXT OTHERWISE REQUIRES:
27   (a) "ALGORITHMIC DISCRIMINATION" MEANS ANY CONDITION IN
28   WHICH THE USE OF AN AUTOMATED DECISION SYSTEM OR ARTIFICIAL
29   INTELLIGENCE SYSTEM RESULTS IN AN UNLAWFUL DIFFERENTIAL
30   TREATMENT OR IMPACT THAT DISFAVORS AN INDIVIDUAL OR A GROUP OF
31   INDIVIDUALS ON THE BASIS OF THEIR ACTUAL OR PERCEIVED AGE, COLOR,
32   DISABILITY, ETHNICITY, GENETIC INFORMATION, LIMITED PROFICIENCY IN
33   THE ENGLISH LANGUAGE, NATIONAL ORIGIN, RACE, RELIGION,
34   REPRODUCTIVE HEALTH, SEX, VETERAN STATUS, OR OTHER
35   CLASSIFICATION PROTECTED UNDER THE LAWS OF THIS STATE OR UNDER
36   FEDERAL LAW.
37   (b) "AUTOMATED DECISION SYSTEM" MEANS ANY SYSTEM THAT IS
38   USED TO MAKE OR ASSIST IN DECISIONS THAT IMPACT THE LIVES OF
39   CONSUMERS AND THAT IS BASED IN WHOLE OR IN SIGNIFICANT PART ON
40   ARTIFICIAL INTELLIGENCE, MACHINE LEARNING, COMPUTERIZED

1 ALGORITHMS, AUTOMATED STATISTICAL OR PROBABILISTIC MODELING, OR
2 SIMILAR TECHNIQUES.
3   (c) "CONSUMER" MEANS AN INDIVIDUAL WHO IS A COLORADO
4 RESIDENT.
5   (d) "DEPLOY" MEANS TO USE AN ARTIFICIAL INTELLIGENCE SYSTEM
6 OR AUTOMATED DECISION SYSTEM.
7   (e) "DEPLOYER" MEANS A PERSON DOING BUSINESS IN THIS STATE
8 THAT DEPLOYS AN ARTIFICIAL INTELLIGENCE SYSTEM OR AUTOMATED
9 DECISION SYSTEM.
10   (f) "DEVELOPER" MEANS A PERSON DOING BUSINESS IN THIS STATE
11 THAT DEVELOPS OR INTENTIONALLY AND SUBSTANTIALLY MODIFIES AN
12 ARTIFICIAL INTELLIGENCE SYSTEM OR AUTOMATED DECISION SYSTEM.
13   (2) **Creation - membership.** (a) THERE IS CREATED THE
14 ARTIFICIAL INTELLIGENCE IMPACT TASK FORCE FOR THE PURPOSES OF
15 CONSIDERING ISSUES AND PROPOSING RECOMMENDATIONS REGARDING
16 PROTECTIONS FOR CONSUMERS AND WORKERS FROM ARTIFICIAL
17 INTELLIGENCE SYSTEMS AND AUTOMATED DECISION SYSTEMS.
18   (b) THE TASK FORCE CONSISTS OF THE FOLLOWING MEMBERS:
19   (I) ONE MEMBER WHO REPRESENTS AN ORGANIZATION THAT
20 ADVOCATES ON BEHALF OF INDIVIDUALS WHO HAVE HISTORICALLY
21 EXPERIENCED ALGORITHMIC DISCRIMINATION BY ARTIFICIAL
22 INTELLIGENCE SYSTEMS OR AUTOMATED DECISION SYSTEMS, TO BE
23 APPOINTED BY THE GOVERNOR;
24   (II) ONE MEMBER WHO IS RECOMMENDED BY CONSENSUS FROM A
25 COALITION OF STATEWIDE LABOR ORGANIZATIONS ACTIVELY INVOLVED IN
26 REPRESENTING THE WORK FORCE IMPACTED BY ARTIFICIAL INTELLIGENCE
27 SYSTEMS OR AUTOMATED DECISION SYSTEMS, TO BE APPOINTED BY THE
28 PRESIDENT OF THE SENATE;
29   (III) ONE MEMBER WHO REPRESENTS A STATEWIDE CIVIL LIBERTIES
30 ORGANIZATION, TO BE APPOINTED BY THE PRESIDENT OF THE SENATE;
31   (IV) ONE MEMBER WHO REPRESENTS AN ORGANIZATION THAT
32 ADVOCATES ON BEHALF OF INDIVIDUALS WITH DISABILITIES, TO BE
33 APPOINTED BY THE SPEAKER OF THE HOUSE OF REPRESENTATIVES;
34   (V) ONE MEMBER WHO REPRESENTS A NATIONAL NONPROFIT,
35 NONPARTISAN ORGANIZATION THAT FOCUSES ON TECHNOLOGY, POLICY,
36 AND CIVIL RIGHTS, TO BE APPOINTED BY THE SPEAKER OF THE HOUSE OF
37 REPRESENTATIVES;
38   (VI) THE ATTORNEY GENERAL OR THE ATTORNEY GENERAL'S
39 DESIGNEE;
40   (VII) ONE MEMBER WHO IS A STATE REPRESENTATIVE, TO BE
41 APPOINTED BY THE SPEAKER OF THE HOUSE OF REPRESENTATIVES;
42   (VIII) ONE MEMBER WHO IS A STATE REPRESENTATIVE, TO BE
43 APPOINTED BY THE MINORITY LEADER OF THE HOUSE OF

1 REPRESENTATIVES;

2 (IX) ONE MEMBER WHO IS A STATE SENATOR, TO BE APPOINTED BY
3 THE PRESIDENT OF THE SENATE;

4 (X) ONE MEMBER WHO IS A STATE SENATOR, TO BE APPOINTED BY
5 THE MINORITY LEADER OF THE SENATE;

6 (XI) ONE MEMBER WHO REPRESENTS A STATEWIDE ORGANIZATION
7 OF BUSINESS PROFESSIONALS, TO BE APPOINTED BY THE GOVERNOR;

8 (XII) ONE MEMBER WHO REPRESENTS A NONPROFIT ORGANIZATION
9 THAT IS FOCUSED ON PRIVACY AND THAT HAS A MEMBERSHIP CONSISTING
10 OF DEVELOPERS AND DEPLOYERS, TO BE APPOINTED BY THE PRESIDENT OF
11 THE SENATE;

12 (XIII) ONE MEMBER WHO REPRESENTS A DEPLOYER, TO BE
13 APPOINTED BY THE PRESIDENT OF THE SENATE;

14 (XIV) ONE MEMBER WHO REPRESENTS A DEVELOPER, TO BE
15 APPOINTED BY THE SPEAKER OF THE HOUSE OF REPRESENTATIVES;

16 (XV) ONE MEMBER WHO REPRESENTS AN INDUSTRY ASSOCIATION
17 THAT REPRESENTS DEVELOPERS OR DEPLOYERS, TO BE APPOINTED BY THE
18 MINORITY LEADER OF THE SENATE;

19 (XVI) ONE MEMBER WHO IS A REPRESENTATIVE FROM ACADEMIA
20 OR A NATIONAL NONPROFIT, NONPARTISAN ORGANIZATION THAT FOCUSES
21 ON LEGAL CONSIDERATIONS RELEVANT TO ARTIFICIAL INTELLIGENCE
22 SYSTEMS OR AUTOMATED DECISION SYSTEMS, TO BE APPOINTED BY THE
23 PRESIDENT OF THE SENATE;

24 (XVII) ONE MEMBER WHO HAS EXPERTISE IN THE QUANTITATIVE
25 EVALUATION OF ARTIFICIAL INTELLIGENCE OR AUTOMATED DECISION
26 SYSTEMS FOR DISPARATE PERFORMANCE, MISUSE, OR BIAS, TO BE
27 APPOINTED BY THE MINORITY LEADER OF THE HOUSE OF
28 REPRESENTATIVES;

29 (XVIII) ONE MEMBER WHO IS A REPRESENTATIVE FROM ACADEMIA
30 OR A NATIONAL NONPROFIT, NONPARTISAN ORGANIZATION WITH
31 KNOWLEDGE OF THE HISTORICAL DEVELOPMENT AND IMPLEMENTATION OF
32 LEGISLATION, REGULATION, OR CODES OF CONDUCT REQUIRING
33 DISCLOSURE, SAFETY PLANNING, THE DEVELOPMENT OF PROFESSIONAL
34 STANDARDS, OR MONITORING RELATED TO ARTIFICIAL INTELLIGENCE
35 SYSTEMS OR AUTOMATED DECISION SYSTEMS, TO BE APPOINTED BY THE
36 SPEAKER OF THE HOUSE OF REPRESENTATIVES;

37 (XIX) THE CHIEF INFORMATION OFFICER OF THE OFFICE OF
38 INFORMATION TECHNOLOGY, WHO IS APPOINTED BY THE GOVERNOR
39 PURSUANT TO SECTION 24-37.5-103 (1), OR THE CHIEF INFORMATION
40 OFFICER'S DESIGNEE;

41 (XX) ONE MEMBER WHO REPRESENTS AN ORGANIZATION THAT
42 ADVOCATES FOR CONSUMERS AND THE FIRST AMENDMENT, TO BE
43 APPOINTED BY THE SPEAKER OF THE HOUSE OF REPRESENTATIVES;

1   (XXI) ONE MEMBER WHO REPRESENTS AN ORGANIZATION THAT
2 ADVOCATES FOR SCHOOLS, SCHOOL DISTRICTS, TEACHERS, STUDENTS, AND
3 THE EDUCATION COMMUNITY, TO BE APPOINTED BY THE SPEAKER OF THE
4 HOUSE OF REPRESENTATIVES;
5   (XXII) ONE MEMBER WHO IS A REPRESENTATIVE FOR AN
6 ORGANIZATION THAT ADVOCATES FOR LAW ENFORCEMENT AGENCIES, TO
7 BE APPOINTED BY THE PRESIDENT OF THE SENATE;
8   (XXIII) ONE MEMBER WHO IS A REPRESENTATIVE FROM AN
9 ORGANIZATION THAT REPRESENTS SMALL BUSINESS DEPLOYERS AND
10 SMALL BUSINESS DEVELOPERS, TO BE APPOINTED BY THE GOVERNOR;
11   (XXIV) ONE MEMBER WHO IS A TECHNOLOGY EXPERT FROM AN
12 ORGANIZATION THAT REPRESENTS HEALTH-CARE, BIOSCIENCE, OR
13 MEDICAL PRACTITIONERS, TO BE APPOINTED BY THE GOVERNOR; AND
14   (XXV) ONE MEMBER WHO IS A TECHNOLOGY EXPERT FROM THE
15 SECURITY TECHNOLOGY INDUSTRY, TO BE APPOINTED BY THE GOVERNOR.
16   (c) THE SPEAKER OF THE HOUSE OF REPRESENTATIVES, THE
17 PRESIDENT OF THE SENATE, THE MINORITY LEADER OF THE HOUSE OF
18 REPRESENTATIVES, THE MINORITY LEADER OF THE SENATE, AND THE
19 GOVERNOR SHALL MAKE EACH OF THE INITIAL APPOINTMENTS DESCRIBED
20 IN SUBSECTION (2)(b) OF THIS SECTION BEFORE AUGUST 1, 2024.
21   (d) ANY VACANCY THAT OCCURS AMONG THE APPOINTED
22 MEMBERS OF THE TASK FORCE SHALL BE FILLED BY THE APPROPRIATE
23 APPOINTMENT AUTHORITY AS SOON AS PRACTICABLE IN ACCORDANCE
24 WITH THE LIMITATIONS SPECIFIED IN SUBSECTION (2)(b) OF THIS SECTION.
25   (e) IN MAKING THE APPOINTMENTS TO THE TASK FORCE, THE
26 SPEAKER OF THE HOUSE OF REPRESENTATIVES, THE PRESIDENT OF THE
27 SENATE, THE MINORITY LEADER OF THE HOUSE OF REPRESENTATIVES, THE
28 MINORITY LEADER OF THE SENATE, AND THE GOVERNOR SHALL STRIVE TO
29 ENSURE THAT THE MEMBERSHIP OF THE TASK FORCE:
30   (I) REFLECTS THE ETHNIC, CULTURAL, AND GENDER DIVERSITY OF
31 THE STATE;
32   (II) INCLUDES REPRESENTATION FROM ALL AREAS OF THE STATE,
33 INCLUDING INDIVIDUALS WHO DO NOT RESIDE IN THE FRONT RANGE
34 REGION OF THE STATE;
35   (III) TO THE EXTENT PRACTICABLE, INCLUDES INDIVIDUALS WITH
36 DISABILITIES; AND
37   (IV) INCLUDES REPRESENTATION FROM COMMUNITIES THAT HAVE
38 HISTORICALLY EXPERIENCED ALGORITHMIC DISCRIMINATION BY
39 ARTIFICIAL INTELLIGENCE SYSTEMS AND AUTOMATED DECISION SYSTEMS.
40   (f) AN EMPLOYER OF ANY TASK FORCE MEMBER SHALL NOT
41 DISCRIMINATE, TAKE ADVERSE ACTION, OR RETALIATE AGAINST ANY
42 WORKER BASED ON THE WORKER SERVING ON THE TASK FORCE, INCLUDING
43 IF THE WORKER RAISES A REASONABLE CONCERN ABOUT WORKPLACE

VIOLATIONS OF HEALTH OR SAFETY RULES OR OTHER SIGNIFICANT WORKPLACE THREATS TO HEALTH OR SAFETY TO THE EMPLOYER, THE EMPLOYER'S AGENT, OTHER WORKERS, A GOVERNMENT AGENCY, OR THE PUBLIC, IF THE EMPLOYER CONTROLS THE WORKPLACE CONDITIONS THAT GIVE RISE TO THE VIOLATION OF OR THREAT TO WORKPLACE HEALTH OR SAFETY.

(3) **Issues of study.** THE TASK FORCE SHALL CONSIDER ISSUES AND PROPOSE POLICY RECOMMENDATIONS TO THE COMMITTEE RELATED TO:

(a) THE DEFINITION OF KEY TERMS, INCLUDING "ARTIFICIAL INTELLIGENCE SYSTEM" AND "AUTOMATED DECISION SYSTEM" AND TYPES OF ARTIFICIAL INTELLIGENCE SYSTEMS AND AUTOMATED DECISION SYSTEMS THAT ANY STATE LEGISLATION OR POLICY SHOULD COVER;

(b) ESTABLISHING NOTICE, EXPLANATION, AND OTHER TRANSPARENCY AND DISCLOSURE REQUIREMENTS FOR COMPANIES THAT DEVELOP OR DEPLOY ARTIFICIAL INTELLIGENCE SYSTEMS AND AUTOMATED DECISION SYSTEMS THAT IMPACT THE LIVES OF CONSUMERS AND WORKERS;

(c) DEVELOPING RECOMMENDATIONS FOR HOW TO PROTECT DISPROPORTIONATELY IMPACTED COMMUNITIES AND WORKERS FROM ALGORITHMIC DISCRIMINATION;

(d) CREATING A CODE OF CONDUCT OR ESTABLISHING BEST PRACTICES FOR EVALUATING THE ETHICAL AND EQUITABLE IMPACT OF USING ARTIFICIAL INTELLIGENCE SYSTEMS AND AUTOMATED DECISION SYSTEMS, INCLUDING SPECIFIC DECISION-MAKING FRAMEWORKS, BENCHMARKS, SAFETY STANDARDS, AND METRICS;

(e) DEVELOPING CLEAR QUANTITATIVE BENCHMARKS AND METRICS BY WHICH TO MEASURE OR ASSESS ALGORITHMIC DISCRIMINATION;

(f) DEVELOPING RECOMMENDATIONS FOR HOW GOVERNMENT AGENCIES, DEVELOPERS, DEPLOYERS, AND THIRD-PARTY AUDITORS CAN MONITOR FOR ALGORITHMIC DISCRIMINATION AND VERIFY CLAIMS MADE BY DEVELOPERS AND DEPLOYERS ABOUT ARTIFICIAL INTELLIGENCE SYSTEMS AND AUTOMATED DECISION SYSTEMS;

(g) DEVELOPING BEST PRACTICES FOR GATHERING, DOCUMENTING, REPORTING, AND SHARING DATA AND INFORMATION NECESSARY FOR ASSESSING ALGORITHMIC DISCRIMINATION AND VERIFYING THE CLAIMS OF DEVELOPERS AND DEPLOYERS;

(h) DEVELOPING RECOMMENDATIONS FOR HOW THE STATE CAN SECURE THE KNOWLEDGE AND SKILL NECESSARY TO EFFECTIVELY GOVERN ARTIFICIAL INTELLIGENCE SYSTEMS AND AUTOMATED DECISION SYSTEMS THROUGH EXPERT CONSULTATION, HIRING, AND ANY OTHER MECHANISMS DEEMED APPROPRIATE BY THE TASK FORCE; AND

(i) DEVELOPING RECOMMENDATIONS FOR SECURING MORE AND

1 BETTER COMMITMENTS FROM DEVELOPERS AND DEPLOYERS OF ARTIFICIAL
2 INTELLIGENCE SYSTEMS AND AUTOMATED DECISION SYSTEMS TO ADDRESS
3 ALGORITHMIC DISCRIMINATION.

4   (4) **Additional duties of the task force.** (a) (I) THE MEMBER WHO
5 IS A STATE REPRESENTATIVE APPOINTED BY THE SPEAKER OF THE HOUSE
6 OF REPRESENTATIVES PURSUANT TO SUBSECTION (2)(b)(VII) OF THIS
7 SECTION SHALL CALL THE FIRST MEETING OF THE TASK FORCE.

8   (II) THE TASK FORCE SHALL HOLD ITS FIRST MEETING ON OR
9 BEFORE SEPTEMBER 1, 2024.

10   (III) AT THE FIRST MEETING OF THE TASK FORCE, THE TASK FORCE
11 SHALL SELECT A CHAIR AND VICE-CHAIR FROM AMONG ITS MEMBERS.

12   (b) (I) THE TASK FORCE SHALL MEET AT LEAST SIX TIMES, WHICH
13 MEETINGS MAY BE ONLINE OR IN PERSON, AND SHALL ALLOW FOR VIRTUAL
14 PARTICIPATION AT ANY IN-PERSON MEETINGS.

15   (II) THE TASK FORCE SHALL POST MEETING SUMMARIES OF ITS
16 MEETINGS, ANY DRAFT POLICY RECOMMENDATIONS, AND THE FINAL
17 REPORT ON THE COMMITTEE'S PUBLIC WEBSITE.

18   (c) ON OR BEFORE APRIL 1, 2025, THE TASK FORCE SHALL SUBMIT
19 A REPORT TO THE COMMITTEE AND THE GOVERNOR'S OFFICE THAT
20 SUMMARIZES THE TASK FORCE'S FINDINGS AND POLICY
21 RECOMMENDATIONS RELATED TO THE ISSUES OF STUDY DESCRIBED IN
22 SUBSECTION (3) OF THIS SECTION.

23   (d) THE TASK FORCE MAY SOLICIT AND SEEK INPUT AND
24 PARTICIPATION FROM RELEVANT COMMUNITIES AND STAKEHOLDERS IN
25 CONDUCTING THE TASK FORCE'S MEETINGS AND COMPILING THE FINAL
26 REPORT OF THE TASK FORCE.

27   (4) **Compensation.** NONLEGISLATIVE MEMBERS OF THE TASK
28 FORCE AND NONLEGISLATIVE MEMBERS OF ANY SUBCOMMITTEES OF THE
29 TASK FORCE SERVE WITHOUT COMPENSATION. COMPENSATION OF
30 LEGISLATIVE MEMBERS IS PAID FROM APPROPRIATIONS TO THE GENERAL
31 ASSEMBLY IN ACCORDANCE WITH SECTION 2-2-307.

32   (5) **Staff support.** THE DIRECTOR OF RESEARCH OF THE
33 LEGISLATIVE COUNCIL MAY SUPPLY STAFF ASSISTANCE TO THE TASK FORCE
34 AS THE DIRECTOR OF RESEARCH DEEMS APPROPRIATE, SUBJECT TO
35 AVAILABLE APPROPRIATIONS. THE TASK FORCE MAY ALSO ACCEPT GIFTS,
36 GRANTS, AND DONATIONS FOR STAFF SUPPORT FROM THE PRIVATE SECTOR,
37 WHICH GIFTS, GRANTS, AND DONATIONS SHALL BE TRANSMITTED TO THE
38 STATE TREASURER, WHO SHALL CREDIT THE MONEY TO THE LEGISLATIVE
39 DEPARTMENT CASH FUND CREATED IN SECTION 2-2-1601 (1)(a).

40   (6) **Repeal.** THIS SECTION IS REPEALED, EFFECTIVE SEPTEMBER 1,
41 2027. PRIOR TO THE REPEAL, THE TASK FORCE IS SCHEDULED FOR REVIEW
42 IN ACCORDANCE WITH SECTION 2-3-1203.

43   **SECTION 3.** In Colorado Revised Statutes, 2-3-1203, **amend**

1 (18.5)(a)(III) as follows:

2   **2-3-1203. Sunset review of advisory committees - legislative**
3 **declaration - definition - repeal.** (18.5) (a) The following statutory
4 authorizations for the designated advisory committees will repeal on
5 September 1, 2027:

6   (III) The ~~task force for the consideration of facial recognition~~
7 ~~services~~ ARTIFICIAL INTELLIGENCE IMPACT TASK FORCE created in section
8 2-3-1707.

9   **SECTION 4. Effective date.** This act takes effect only if Senate
10 Bill 24-205 becomes law, in which case this act takes effect upon passage
11 or on the effective date of Senate Bill 24-205, whichever is later.

12   **SECTION 5. Safety clause.** The general assembly finds,
13 determines, and declares that this act is necessary for the immediate
14 preservation of the public peace, health, or safety or for appropriations for
15 the support and maintenance of the departments of the state and state
16 institutions.".

17 Page 1, strike lines 101 through 109 and substitute "CONCERNING THE
18 CREATION OF THE ARTIFICIAL INTELLIGENCE IMPACT TASK FORCE.".

** *** ** *** **