

Colorado enacts a broad state law on high-risk AI, covering hiring and schools

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Source: <https://leg.colorado.gov/bills/sb24-205>

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SB24-205

Consumer Protections for Artificial Intelligence

Type Bill

Session 2024 Regular Session

Subjects

Business & Economic Development Labor & Employment Telecommunications & Information Technology

Concerning consumer protections in interactions with artificial intelligence systems.

Recent Bill (PDF)

Recent Fiscal Note (PDF)

Bill Summary:

On and after February 1, 2026, the act requires a developer of a high-risk artificial intelligence system (high-risk system) to use reasonable care to protect consumers from any known or reasonably foreseeable risks of algorithmic discrimination in the high-risk system. There is a rebuttable presumption that a developer used reasonable care if the developer complied with specified provisions in the act, including: Making available to a deployer of the high-risk system a statement disclosing specified information about the high-risk system; Making available to a deployer of the high-risk system information and documentation necessary to complete an impact assessment of the high-risk system; Making a publicly available statement summarizing the types of high-risk systems that the developer has developed or intentionally and substantially modified and currently makes available to a deployer or other developer and how the developer manages any known or reasonably foreseeable risks of algorithmic discrimination that may arise from the development or intentional and substantial modification of each of these high-risk systems; and Disclosing to the attorney general and known deployers or other developers of the high-risk system any known or reasonably foreseeable risks of algorithmic discrimination, within 90 days after the discovery or receipt of a credible report from the deployer, that the high-risk system has caused or is reasonably likely to have caused.

The act also, on and after February 1, 2026, requires a deployer of a high-risk system to use reasonable care to protect consumers from any known or reasonably foreseeable risks of algorithmic discrimination in the high-risk system. There is a rebuttable presumption that a deployer used reasonable care if the deployer complied with specified provisions in the act, including: Implementing a risk management policy and program for the high-risk system; Completing an impact assessment of the high-risk system; Annually reviewing the deployment of each high-risk system deployed by the deployer to ensure that the high-risk system is not causing algorithmic discrimination; Notifying a consumer of specified items if the high-risk system makes, or will be a substantial factor in making, a consequential decision concerning the consumer; Providing a consumer with an opportunity to correct any incorrect personal data that a high-risk system processed in making a consequential decision; Providing a consumer with an opportunity to appeal, via human review if technically feasible, an adverse consequential decision concerning the consumer arising from the deployment of a high-risk system; Making a publicly available statement summarizing the types of high-risk systems that the deployer currently deploys, how the deployer manages any known or reasonably foreseeable risks of algorithmic discrimination that may arise from deployment of each of these high-risk systems, and the nature, source, and extent of the information collected and used by the deployer; and Disclosing to the attorney general the discovery of algorithmic

discrimination, within 90 days after the discovery, that the high-risk system has caused.

A person doing business in this state, including a deployer or other developer, that deploys or makes available an artificial intelligence system that is intended to interact with consumers must ensure disclosure to each consumer who interacts with the artificial intelligence system that the consumer is interacting with an artificial intelligence system.

The act does not restrict a developer's, deployer's, or other person's ability to engage in specified activities, including: Complying with federal, state, or municipal laws, ordinances, or regulations; Cooperating with and conducting specified investigations; Taking immediate steps to protect an interest that is essential for the life or physical safety of a consumer; Conducting and engaging in specified research activities; and Effectuating a product recall or repairing technical errors that impair product functionality.

The act provides an affirmative defense for a developer, deployer, or other person if: The developer, deployer, or other person involved in a potential violation is in compliance with a nationally or internationally recognized risk management framework for artificial intelligence systems that the act or the attorney general designates; and The developer, deployer, or other person takes specified measures to discover and correct violations of the act.

An insurer, a fraternal benefit society, or a developer of an artificial intelligence system used by an insurer is in full compliance with the act if the entity is subject to specified laws governing insurers' use of external consumer data and information sources, algorithms, and predictive models and rules adopted by the commissioner of insurance.

A bank, out-of-state bank, credit union chartered by the state of Colorado, federal credit union, out-of-state credit union, or any affiliate or subsidiary thereof, is in full compliance with the act if the entity is subject to examination by a state or federal prudential regulator under any published guidance or regulations that apply to the use of high-risk systems and the guidance or regulations meet criteria specified in the act.

The act grants the attorney general rule-making authority to implement, and exclusive authority to enforce, the requirements of the act. A person who violates the act engages in a deceptive trade practice pursuant to the "Colorado Consumer Protection Act". APPROVED by Governor May 17, 2024 EFFECTIVE May 17, 2024 (Note: This summary applies to this bill as enacted.)

bill-detail#toggle' id='read-more-less-btn'> Read more

Prime Sponsors

Senator

Robert Rodriguez

Representative

Brianna Titone

Representative

Manny Rutinel

Committees

Senate

Judiciary

House

State, Civic, Military, & Veterans Affairs

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Status

Became Law

Introduced

Passed

Became Law

Related Documents & Information

Bill Text

Fiscal

Committees

Votes

Amendments

Bill History

Sponsors

Session Laws

Bill Text Fiscal Committees Votes Amendments Bill History Sponsors Session Laws

All Versions (7)

Date

Version

Documents

05/17/2024

Signed Act

PDF

05/13/2024

Final Act

PDF

05/08/2024

Rerevised

PDF

05/07/2024

Revised

PDF

05/03/2024

Reengrossed

PDF

05/02/2024

Engrossed

PDF

04/10/2024

Introduced

PDF

Preamended Versions (2)

Date

Version

Documents

05/05/2024

PDF

04/25/2024

PDF

Fiscal Notes (3)

Date

Version

Documents

08/12/2024

FN3

PDF

05/04/2024

FN2

PDF

04/15/2024

FN1

PDF

05/04/2024 | House State, Civic, Military, & Veterans Affairs (3)

Activity

Vote

Documents

Adopt amendment L.007 (Attachment G).

The motion passed without objection.

Vote summary

Adopt amendment L.006 (Attachment H).

The motion passed on a vote of 10-1.

Vote summary

Refer Senate Bill 24-205, as amended, to the Committee of the Whole.

The motion passed on a vote of 7-4.

Vote summary

Hearing Summary

|

Committee Report: PDF

04/24/2024 | Senate Judiciary (2)

Activity

Vote

Documents

Adopt amendment L.001 (Attachment C)

The motion passed without objection.

Vote summary

Refer Senate Bill 24-205, as amended, to the Committee of the Whole.

The motion passed on a vote of 3-2.

Vote summary

Hearing Summary

|

Committee Report: PDF

House Votes (4)

Date

Calendar

Motion

Vote

Vote Document

05/08/2024

Third Reading

BILL

41

AYE

22

NO

2

OTHER

Vote record

05/08/2024

Third Reading

AMD (L.014)

51

AYE

13

NO

1

OTHER

Vote record

05/08/2024

Third Reading

PERM

54

AYE

9

NO

2

OTHER

Vote record

05/07/2024

Committee of the Whole

AMD (H.001)

21

AYE

43

NO

1

OTHER

Vote record

Senate Votes (4)

Date

Calendar

Motion

Vote

Vote Document

05/08/2024

House Amendments

REPASS

28

AYE

7

NO

0

OTHER

Vote record
05/08/2024
House Amendments
CONCUR

35
AYE
0
NO
0

OTHER
Vote record

05/03/2024
Third Reading

BILL
23
AYE

11
NO
1

OTHER
Vote record

05/03/2024
Third Reading
AMEND (L.005)

33
AYE
1

NO
1

OTHER
Vote record

Amendments (9)
Date
Amendment Number
Committee/ Floor Hearing
Status
Documents

05/08/2024

L.014

Third Reading

Passed

PDF

05/07/2024

L.010

Second Reading

Passed [**]

PDF

05/07/2024

L.011

Second Reading

Passed [**]

PDF

05/07/2024

L.013

Second Reading

Passed [**]

PDF

05/04/2024

L.006

HOU State, Civic, Military, & Veterans Affairs

Passed [*]

PDF

05/04/2024

L.007

HOU State, Civic, Military, & Veterans Affairs

Passed [*]

PDF

05/03/2024

L.005

Third Reading

Passed

PDF

05/02/2024

L.003

Second Reading

Passed [**]

PDF

04/24/2024

L.001

SEN Judiciary

Passed [*]

PDF

* Amendments passed in committee are not incorporated into the measure unless adopted by the full House or Senate. ** The status of Second Reading amendments may be subsequently affected by the adoption of an amendment to the Committee of the Whole Report. Refer to the House or Senate Journal for additional information.

Bill history (16)

Date

Location

Action

05/17/2024

Governor

Governor Signed

05/13/2024

House

Signed by the Speaker of the House

05/13/2024

Senate

Signed by the President of the Senate

05/13/2024

Governor

Sent to the Governor

05/08/2024

Senate

Senate Considered House Amendments - Result was to Concur - Repass

05/08/2024

House

House Third Reading Passed with Amendments - Floor

05/07/2024

House

House Second Reading Special Order - Passed with Amendments - Committee, Floor

05/04/2024

House

House Committee on State, Civic, Military, & Veterans Affairs Refer Amended to House Committee of the Whole

05/03/2024

House

Introduced In House - Assigned to State, Civic, Military, & Veterans Affairs

05/03/2024

Senate

Senate Third Reading Passed with Amendments - Floor

05/02/2024

Senate

Senate Second Reading Passed with Amendments - Committee, Floor

05/01/2024

Senate

Senate Second Reading Laid Over to 05/02/2024 - No Amendments

04/30/2024

Senate

Senate Second Reading Laid Over to 05/01/2024 - No Amendments

04/29/2024

Senate

Senate Second Reading Laid Over to 04/30/2024 - No Amendments

04/24/2024

Senate

Senate Committee on Judiciary Refer Amended to Senate Committee of the Whole

04/10/2024

Senate

Introduced In Senate - Assigned to Judiciary

Sponsors

Prime Sponsor

Sen. R. Rodriguez

Rep. M. Rutinel |

Rep. B. Titone

Sponsor

(None)

Co-Sponsor

Sen. L. Cutter |

Sen. S. Fenberg |

Sen. D. Michaelson Jenet |

Sen. K. Priola |

Sen. F. Winter

Rep. M. Duran

Session laws (1)

Effective Date

Chapter #

Title

Documents

05/17/2024

198

Consumer Protections for Artificial Intelligence

PDF

Quick Links

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