

SENATE COMMITTEE OF REFERENCE REPORT

Chair of Committee

April 24, 2024
Date

Committee on Judiciary.

After consideration on the merits, the Committee recommends the following:

SB24-205 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation:

1 Amend printed bill, strike everything below the enacting clause and
2 substitute:

3 "SECTION 1. In Colorado Revised Statutes, **add** part 16 to
4 article 1 of title 6 as follows:

5 PART 16
6 ARTIFICIAL INTELLIGENCE

7 **6-1-1601. Definitions.** AS USED IN THIS PART 16, UNLESS THE
8 CONTEXT OTHERWISE REQUIRES:

9 (1) (a) "ALGORITHMIC DISCRIMINATION" MEANS ANY CONDITION
10 IN WHICH AN ARTIFICIAL INTELLIGENCE SYSTEM MATERIALLY INCREASES
11 THE RISK OF AN UNLAWFUL DIFFERENTIAL TREATMENT OR IMPACT THAT
12 DISFAVORS AN INDIVIDUAL OR GROUP OF INDIVIDUALS ON THE BASIS OF
13 THEIR ACTUAL OR PERCEIVED AGE, COLOR, DISABILITY, ETHNICITY,
14 GENETIC INFORMATION, LIMITED PROFICIENCY IN THE ENGLISH LANGUAGE,
15 NATIONAL ORIGIN, RACE, RELIGION, REPRODUCTIVE HEALTH, SEX,
16 VETERAN STATUS, OR OTHER CLASSIFICATION PROTECTED UNDER THE
17 LAWS OF THIS STATE OR FEDERAL LAW.

18 (b) "ALGORITHMIC DISCRIMINATION" DOES NOT INCLUDE:

19 (I) THE OFFER, LICENSE, OR USE OF A HIGH-RISK ARTIFICIAL
20 INTELLIGENCE SYSTEM BY A DEVELOPER OR DEPLOYER FOR THE SOLE
21 PURPOSE OF:

22 (A) THE DEVELOPER'S OR DEPLOYER'S SELF-TESTING TO IDENTIFY,
23 MITIGATE, OR PREVENT DISCRIMINATION OR OTHERWISE ENSURE
24 COMPLIANCE WITH STATE AND FEDERAL LAW; OR

25 (B) EXPANDING AN APPLICANT, CUSTOMER, OR PARTICIPANT POOL
26 TO INCREASE DIVERSITY OR REDRESS HISTORICAL DISCRIMINATION; OR

27 (II) AN ACT OR OMISSION BY OR ON BEHALF OF A PRIVATE CLUB OR

1 OTHER ESTABLISHMENT THAT IS NOT IN FACT OPEN TO THE PUBLIC, AS SET
2 FORTH IN TITLE II OF THE FEDERAL "CIVIL RIGHTS ACT OF 1964", 42
3 U.S.C. SEC. 2000a (e), AS AMENDED.

4 (2) "ARTIFICIAL INTELLIGENCE SYSTEM" MEANS ANY
5 MACHINE-BASED SYSTEM THAT, FOR ANY EXPLICIT OR IMPLICIT OBJECTIVE,
6 INFERS FROM THE INPUTS THE SYSTEM RECEIVES HOW TO GENERATE
7 OUTPUTS, INCLUDING CONTENT, DECISIONS, PREDICTIONS, OR
8 RECOMMENDATIONS, THAT CAN INFLUENCE PHYSICAL OR VIRTUAL
9 ENVIRONMENTS.

10 (3) "CONSEQUENTIAL DECISION" MEANS A DECISION THAT HAS A
11 MATERIAL LEGAL, OR SIMILARLY SIGNIFICANT, EFFECT ON A CONSUMER'S
12 ACCESS TO, OR THE AVAILABILITY, COST, OR TERMS OF:

13 (a) A CRIMINAL CASE ASSESSMENT, A SENTENCING OR PLEA
14 AGREEMENT ANALYSIS, OR A PARDON, PAROLE, PROBATION, OR RELEASE
15 DECISION;

16 (b) EDUCATION ENROLLMENT OR AN EDUCATION OPPORTUNITY;

17 (c) EMPLOYMENT OR AN EMPLOYMENT OPPORTUNITY;

18 (d) AN ESSENTIAL UTILITY, INCLUDING ELECTRICITY, HEAT,
19 INTERNET OR TELECOMMUNICATIONS ACCESS, TRANSPORTATION, OR
20 WATER;

21 (e) A FINANCIAL OR LENDING SERVICE;

22 (f) AN ESSENTIAL GOVERNMENT SERVICE;

23 (g) A HEALTH-CARE SERVICE;

24 (h) HOUSING;

25 (i) INSURANCE; OR

26 (j) A LEGAL SERVICE.

27 (4) "CONSUMER" MEANS AN INDIVIDUAL WHO IS A COLORADO
28 RESIDENT.

29 (5) "DEPLOY" MEANS TO USE A HIGH-RISK ARTIFICIAL
30 INTELLIGENCE SYSTEM.

31 (6) "DEPLOYER" MEANS A PERSON DOING BUSINESS IN THIS STATE
32 THAT DEPLOYS A HIGH-RISK ARTIFICIAL INTELLIGENCE SYSTEM.

33 (7) "DEVELOPER" MEANS A PERSON DOING BUSINESS IN THIS STATE
34 THAT DEVELOPS OR INTENTIONALLY AND SUBSTANTIALLY MODIFIES A
35 GENERAL PURPOSE ARTIFICIAL INTELLIGENCE MODEL OR A HIGH-RISK
36 ARTIFICIAL INTELLIGENCE SYSTEM.

37 (8) (a) "GENERAL PURPOSE ARTIFICIAL INTELLIGENCE MODEL"
38 MEANS ANY FORM OF ARTIFICIAL INTELLIGENCE SYSTEM THAT:

39 (I) DISPLAYS SIGNIFICANT GENERALITY;

40 (II) IS CAPABLE OF COMPETENTLY PERFORMING A WIDE RANGE OF
41 DISTINCT TASKS; AND

42 (III) CAN BE INTEGRATED INTO A VARIETY OF DOWNSTREAM
43 APPLICATIONS OR SYSTEMS.

1 (b) "GENERAL PURPOSE ARTIFICIAL INTELLIGENCE MODEL" DOES
2 NOT INCLUDE ANY ARTIFICIAL INTELLIGENCE MODEL THAT IS USED FOR
3 DEVELOPMENT, PROTOTYPING, OR RESEARCH ACTIVITIES BEFORE THE
4 MODEL IS RELEASED ON THE MARKET.

5 (9)(a) "HIGH-RISK ARTIFICIAL INTELLIGENCE SYSTEM" MEANS ANY
6 ARTIFICIAL INTELLIGENCE SYSTEM THAT, WHEN DEPLOYED, MAKES, OR IS
7 A SUBSTANTIAL FACTOR IN MAKING, A CONSEQUENTIAL DECISION.

8 (b) "HIGH-RISK ARTIFICIAL INTELLIGENCE SYSTEM" DOES NOT
9 INCLUDE:

10 (I) AN ARTIFICIAL INTELLIGENCE SYSTEM IF THE ARTIFICIAL
11 INTELLIGENCE SYSTEM IS INTENDED TO:

12 (A) PERFORM A NARROW PROCEDURAL TASK;
13 (B) IMPROVE THE RESULT OF A PREVIOUSLY COMPLETED HUMAN
14 ACTIVITY; OR
15 (C) DETECT DECISION-MAKING PATTERNS OR DEVIATIONS FROM
16 PRIOR DECISION-MAKING PATTERNS AND IS NOT INTENDED TO REPLACE OR
17 INFLUENCE A PREVIOUSLY COMPLETED HUMAN ASSESSMENT WITHOUT
18 SUFFICIENT HUMAN REVIEW; OR

19 (II) THE FOLLOWING TECHNOLOGIES, UNLESS THE TECHNOLOGIES,
20 WHEN DEPLOYED, MAKE, OR ARE A SUBSTANTIAL FACTOR IN MAKING, A
21 CONSEQUENTIAL DECISION:

22 (A) ANTI-MALWARE;
23 (B) ANTI-VIRUS;
24 (C) CALCULATORS;
25 (D) DATABASES;
26 (E) DATA STORAGE;
27 (F) FIREWALL;
28 (G) INTERNET DOMAIN REGISTRATION;
29 (H) INTERNET WEBSITE LOADING;
30 (I) NETWORKING;
31 (J) SPAM- AND ROBOCALL-FILTERING;
32 (K) SPELL-CHECKING;
33 (L) SPREADSHEETS;
34 (M) WEB CACHING; OR
35 (N) WEB HOSTING OR ANY SIMILAR TECHNOLOGY.

36 (10) (a) "INTENTIONAL AND SUBSTANTIAL MODIFICATION" OR
37 "INTENTIONALLY AND SUBSTANTIALLY MODIFIES" MEANS A DELIBERATE
38 CHANGE MADE TO:

39 (I) AN ARTIFICIAL INTELLIGENCE SYSTEM THAT RESULTS IN ANY
40 NEW REASONABLY FORESEEABLE RISK OF ALGORITHMIC DISCRIMINATION;
41 OR

42 (II) A GENERAL PURPOSE ARTIFICIAL INTELLIGENCE MODEL THAT:
43 (A) AFFECTS THE COMPLIANCE OF A GENERAL PURPOSE ARTIFICIAL

1 INTELLIGENCE SYSTEM;

2 (B) MATERIALLY CHANGES THE PURPOSE OF THE GENERAL
3 PURPOSE ARTIFICIAL INTELLIGENCE SYSTEM; OR

4 (C) RESULTS IN ANY NEW REASONABLY FORESEEABLE RISK OF
5 ALGORITHMIC DISCRIMINATION.

6 (b) "INTENTIONAL AND SUBSTANTIAL MODIFICATION" OR
7 "INTENTIONALLY AND SUBSTANTIALLY MODIFIES" DOES NOT INCLUDE A
8 CHANGE MADE TO A HIGH-RISK ARTIFICIAL INTELLIGENCE SYSTEM, OR THE
9 PERFORMANCE OF A HIGH-RISK ARTIFICIAL INTELLIGENCE SYSTEM, IF:

10 (I) THE HIGH-RISK ARTIFICIAL INTELLIGENCE SYSTEM CONTINUES
11 TO LEARN AFTER THE HIGH-RISK ARTIFICIAL INTELLIGENCE SYSTEM IS:

12 (A) OFFERED, SOLD, LEASED, LICENSED, GIVEN, OR OTHERWISE
13 MADE AVAILABLE TO A DEPLOYER; OR

14 (B) DEPLOYED;

15 (II) THE CHANGE IS MADE TO THE HIGH-RISK ARTIFICIAL
16 INTELLIGENCE SYSTEM AS A RESULT OF ANY LEARNING DESCRIBED IN
17 SUBSECTION (10)(b)(I) OF THIS SECTION;

18 (III) THE CHANGE WAS PREDETERMINED BY THE DEPLOYER, OR A
19 THIRD PARTY CONTRACTED BY THE DEPLOYER, WHEN THE DEPLOYER OR
20 THIRD PARTY COMPLETED AN INITIAL IMPACT ASSESSMENT OF SUCH
21 HIGH-RISK ARTIFICIAL INTELLIGENCE SYSTEM PURSUANT TO SECTION
22 6-1-1603 (3); AND

23 (IV) THE CHANGE IS INCLUDED IN TECHNICAL DOCUMENTATION
24 FOR THE HIGH-RISK ARTIFICIAL INTELLIGENCE SYSTEM.

25 (11) "SUBSTANTIAL FACTOR" MEANS A FACTOR THAT ASSISTS IN
26 MAKING, AND IS CAPABLE OF ALTERING THE OUTCOME OF, A
27 CONSEQUENTIAL DECISION.

28 (12) "SYNTHETIC DIGITAL CONTENT" MEANS DIGITAL CONTENT,
29 INCLUDING AUDIO, IMAGES, TEXT, OR VIDEOS, THAT IS PRODUCED OR
30 MANIPULATED BY AN ARTIFICIAL INTELLIGENCE SYSTEM, INCLUDING A
31 GENERAL PURPOSE ARTIFICIAL INTELLIGENCE MODEL.

32 (13) "TRADE SECRET" HAS THE MEANING SET FORTH IN SECTION
33 7-74-102 (4).

34 **6-1-1602. Developer duty to avoid algorithmic discrimination**
35 **- required documentation.** (1) ON AND AFTER OCTOBER 1, 2025, A
36 DEVELOPER OF A HIGH-RISK ARTIFICIAL INTELLIGENCE SYSTEM SHALL USE
37 REASONABLE CARE TO PROTECT CONSUMERS FROM ANY KNOWN OR
38 REASONABLY FORESEEABLE RISKS OF ALGORITHMIC DISCRIMINATION. IN
39 ANY ENFORCEMENT ACTION BROUGHT ON OR AFTER OCTOBER 1, 2025, BY
40 THE ATTORNEY GENERAL OR A DISTRICT ATTORNEY PURSUANT TO SECTION
41 6-1-1608, THERE IS A REBUTTABLE PRESUMPTION THAT A DEVELOPER USED
42 REASONABLE CARE AS REQUIRED UNDER THIS SECTION IF THE DEVELOPER
43 COMPLIED WITH THIS SECTION.

1 (2) ON AND AFTER OCTOBER 1, 2025, AND EXCEPT AS PROVIDED
2 IN SUBSECTION (6) OF THIS SECTION, A DEVELOPER OF A HIGH-RISK
3 ARTIFICIAL INTELLIGENCE SYSTEM SHALL MAKE AVAILABLE TO THE
4 DEPLOYER OF THE HIGH-RISK ARTIFICIAL INTELLIGENCE SYSTEM:

5 (a) A GENERAL STATEMENT DESCRIBING THE INTENDED USES OF
6 THE HIGH-RISK ARTIFICIAL INTELLIGENCE SYSTEM;

7 (b) DOCUMENTATION DISCLOSING:

8 (I) KNOWN OR REASONABLY FORESEEABLE LIMITATIONS OF THE
9 HIGH-RISK ARTIFICIAL INTELLIGENCE SYSTEM, INCLUDING KNOWN OR
10 REASONABLY FORESEEABLE RISKS OF ALGORITHMIC DISCRIMINATION
11 ARISING FROM THE INTENDED USES OF THE HIGH-RISK ARTIFICIAL
12 INTELLIGENCE SYSTEM;

13 (II) THE PURPOSE OF THE HIGH-RISK ARTIFICIAL INTELLIGENCE
14 SYSTEM;

15 (III) THE INTENDED BENEFITS AND USES OF THE HIGH-RISK
16 ARTIFICIAL INTELLIGENCE SYSTEM; AND

17 (IV) RELEVANT INFORMATION CONCERNING THE MITIGATION OF
18 ALGORITHMIC DISCRIMINATION AND EXPLAINABILITY OF THE HIGH-RISK
19 ARTIFICIAL INTELLIGENCE SYSTEM;

20 (c) DOCUMENTATION DESCRIBING:

21 (I) THE TYPE OF DATA USED TO TRAIN THE HIGH-RISK ARTIFICIAL
22 INTELLIGENCE SYSTEM;

23 (II) HOW THE HIGH-RISK ARTIFICIAL INTELLIGENCE SYSTEM WAS
24 EVALUATED FOR PERFORMANCE BEFORE THE HIGH-RISK ARTIFICIAL
25 INTELLIGENCE SYSTEM WAS OFFERED, SOLD, LEASED, LICENSED, GIVEN, OR
26 OTHERWISE MADE AVAILABLE TO THE DEPLOYER;

27 (III) THE DATA GOVERNANCE MEASURES USED TO COVER THE
28 TRAINING DATASETS AND THE MEASURES USED TO EXAMINE THE
29 SUITABILITY OF DATA SOURCES, POSSIBLE BIASES, AND APPROPRIATE
30 MITIGATION;

31 (IV) THE INTENDED OUTPUTS OF THE HIGH-RISK ARTIFICIAL
32 INTELLIGENCE SYSTEM;

33 (V) THE MEASURES THE DEVELOPER HAS TAKEN TO MITIGATE
34 KNOWN OR REASONABLY FORESEEABLE RISKS OF ALGORITHMIC
35 DISCRIMINATION THAT MAY ARISE FROM THE DEPLOYMENT OF THE
36 HIGH-RISK ARTIFICIAL INTELLIGENCE SYSTEM; AND

37 (VI) HOW THE HIGH-RISK ARTIFICIAL INTELLIGENCE SYSTEM
38 SHOULD BE USED OR MONITORED BY AN INDIVIDUAL WHEN THE HIGH-RISK
39 ARTIFICIAL INTELLIGENCE SYSTEM IS USED TO MAKE, OR IS A SUBSTANTIAL
40 FACTOR IN MAKING, A CONSEQUENTIAL DECISION; AND

41 (d) ANY ADDITIONAL DOCUMENTATION THAT IS REASONABLY
42 NECESSARY TO ASSIST THE DEPLOYER IN UNDERSTANDING THE OUTPUTS
43 AND MONITOR THE PERFORMANCE OF THE HIGH-RISK ARTIFICIAL

1 INTELLIGENCE SYSTEM FOR RISKS OF ALGORITHMIC DISCRIMINATION.

2 (3) EXCEPT AS PROVIDED IN SUBSECTION (6) OF THIS SECTION, A
3 DEVELOPER THAT OFFERS, SELLS, LEASES, LICENSES, GIVES, OR OTHERWISE
4 MAKES AVAILABLE TO A DEPLOYER A HIGH-RISK ARTIFICIAL INTELLIGENCE
5 SYSTEM ON OR AFTER OCTOBER 1, 2025, SHALL MAKE AVAILABLE TO THE
6 DEPLOYER, TO THE EXTENT FEASIBLE, THE DOCUMENTATION AND
7 INFORMATION, THROUGH ARTIFACTS SUCH AS MODEL CARDS, DATASET
8 CARDS, OR OTHER IMPACT ASSESSMENTS, NECESSARY FOR THE DEPLOYER,
9 OR FOR A THIRD PARTY CONTRACTED BY THE DEPLOYER, TO COMPLETE AN
10 IMPACT ASSESSMENT PURSUANT TO SECTION 6-1-1603 (3).

11 (4) (a) ON AND AFTER OCTOBER 1, 2025, A DEVELOPER SHALL
12 MAKE AVAILABLE, IN A MANNER THAT IS CLEAR AND READILY AVAILABLE
13 FOR PUBLIC INSPECTION ON THE DEVELOPER'S WEBSITE OR IN A PUBLIC USE
14 CASE INVENTORY, A STATEMENT SUMMARIZING:

15 (I) THE TYPES OF HIGH-RISK ARTIFICIAL INTELLIGENCE SYSTEMS
16 THAT THE DEVELOPER HAS DEVELOPED OR INTENTIONALLY AND
17 SUBSTANTIALLY MODIFIED AND CURRENTLY MAKES AVAILABLE TO A
18 DEPLOYER; AND

19 (II) HOW THE DEVELOPER MANAGES KNOWN OR REASONABLY
20 FORESEEABLE RISKS OF ALGORITHMIC DISCRIMINATION THAT MAY ARISE
21 FROM THE DEVELOPMENT OR INTENTIONAL AND SUBSTANTIAL
22 MODIFICATION OF THE TYPES OF HIGH-RISK ARTIFICIAL INTELLIGENCE
23 SYSTEMS DESCRIBED IN SUBSECTION (4)(a)(I) OF THIS SECTION.

24 (b) A DEVELOPER SHALL UPDATE THE STATEMENT DESCRIBED IN
25 SUBSECTION (4)(a) OF THIS SECTION:

26 (I) AS NECESSARY TO ENSURE THAT THE STATEMENT REMAINS
27 ACCURATE; AND

28 (II) NO LATER THAN NINETY DAYS AFTER THE DEVELOPER
29 INTENTIONALLY AND SUBSTANTIALLY MODIFIES ANY HIGH-RISK
30 ARTIFICIAL INTELLIGENCE SYSTEM DESCRIBED IN SUBSECTION (4)(a)(I) OF
31 THIS SECTION.

32 (5) ON AND AFTER OCTOBER 1, 2025, A DEVELOPER OF A
33 HIGH-RISK ARTIFICIAL INTELLIGENCE SYSTEM SHALL DISCLOSE TO THE
34 ATTORNEY GENERAL, IN A FORM AND MANNER PRESCRIBED BY THE
35 ATTORNEY GENERAL, AND TO ALL KNOWN DEPLOYERS OF THE HIGH-RISK
36 ARTIFICIAL INTELLIGENCE SYSTEM ANY KNOWN RISKS OF ALGORITHMIC
37 DISCRIMINATION ARISING FROM THE INTENDED USES OF THE HIGH-RISK
38 ARTIFICIAL INTELLIGENCE SYSTEM WITHOUT UNREASONABLE DELAY BUT
39 NO LATER THAN NINETY DAYS AFTER THE DATE ON WHICH:

40 (a) THE DEVELOPER DISCOVERS THROUGH THE DEVELOPER'S
41 ONGOING TESTING AND ANALYSIS THAT THE DEVELOPER'S HIGH-RISK
42 ARTIFICIAL INTELLIGENCE SYSTEM HAS BEEN DEPLOYED AND HAS CAUSED
43 ALGORITHMIC DISCRIMINATION; OR

1 (b) THE DEVELOPER RECEIVES FROM A DEPLOYER A CREDIBLE
2 REPORT THAT THE HIGH-RISK ARTIFICIAL INTELLIGENCE SYSTEM HAS BEEN
3 DEPLOYED AND HAS CAUSED ALGORITHMIC DISCRIMINATION.

4 (6) NOTHING IN SUBSECTIONS (2) TO (5) OF THIS SECTION REQUIRES
5 A DEVELOPER TO DISCLOSE A TRADE SECRET OR OTHER CONFIDENTIAL OR
6 PROPRIETARY INFORMATION.

7 (7) ON AND AFTER OCTOBER 1, 2025, THE ATTORNEY GENERAL
8 MAY REQUIRE THAT A DEVELOPER DISCLOSE TO THE ATTORNEY GENERAL,
9 IN A FORM AND MANNER PRESCRIBED BY THE ATTORNEY GENERAL, THE
10 STATEMENT OR DOCUMENTATION DESCRIBED IN SUBSECTION (2) OF THIS
11 SECTION IF THE STATEMENT OR DOCUMENTATION IS RELEVANT TO AN
12 INVESTIGATION CONDUCTED BY THE ATTORNEY GENERAL. THE ATTORNEY
13 GENERAL MAY EVALUATE SUCH STATEMENT OR DOCUMENTATION TO
14 ENSURE COMPLIANCE WITH THIS PART 16, AND THE STATEMENT OR
15 DOCUMENTATION IS NOT SUBJECT TO DISCLOSURE UNDER THE "COLORADO
16 OPEN RECORDS ACT", PART 2 OF ARTICLE 72 OF TITLE 24. TO THE EXTENT
17 THAT ANY INFORMATION CONTAINED IN THE STATEMENT OR
18 DOCUMENTATION INCLUDES INFORMATION SUBJECT TO ATTORNEY-CLIENT
19 PRIVILEGE OR WORK-PRODUCT PROTECTION, THE DISCLOSURE DOES NOT
20 CONSTITUTE A WAIVER OF THE PRIVILEGE OR PROTECTION.

21 **6-1-1603. Deployer duty to avoid algorithmic discrimination**
22 **- risk management policy and program.** (1) ON AND AFTER OCTOBER
23 1, 2025, A DEPLOYER OF A HIGH-RISK ARTIFICIAL INTELLIGENCE SYSTEM
24 SHALL USE REASONABLE CARE TO PROTECT CONSUMERS FROM ANY KNOWN
25 OR REASONABLY FORESEEABLE RISKS OF ALGORITHMIC DISCRIMINATION.
26 IN ANY ENFORCEMENT ACTION BROUGHT ON OR AFTER OCTOBER 1, 2025,
27 BY THE ATTORNEY GENERAL OR A DISTRICT ATTORNEY PURSUANT TO
28 SECTION 6-1-1608, THERE IS A REBUTTABLE PRESUMPTION THAT A
29 DEPLOYER OF A HIGH-RISK ARTIFICIAL INTELLIGENCE SYSTEM USED
30 REASONABLE CARE AS REQUIRED UNDER THIS SECTION IF THE DEPLOYER
31 COMPLIED WITH THIS SECTION.

32 (2) (a) ON AND AFTER OCTOBER 1, 2025, AND EXCEPT AS
33 PROVIDED IN SUBSECTION (7) OF THIS SECTION, A DEPLOYER OF A
34 HIGH-RISK ARTIFICIAL INTELLIGENCE SYSTEM SHALL IMPLEMENT A RISK
35 MANAGEMENT POLICY AND PROGRAM TO GOVERN THE DEPLOYER'S
36 DEPLOYMENT OF THE HIGH-RISK ARTIFICIAL INTELLIGENCE SYSTEM. THE
37 RISK MANAGEMENT POLICY AND PROGRAM MUST SPECIFY AND
38 INCORPORATE THE PRINCIPLES, PROCESSES, AND PERSONNEL THAT THE
39 DEPLOYER USES TO IDENTIFY, DOCUMENT, AND MITIGATE KNOWN OR
40 REASONABLY FORESEEABLE RISKS OF ALGORITHMIC DISCRIMINATION. THE
41 RISK MANAGEMENT POLICY AND PROGRAM MUST BE AN ITERATIVE
42 PROCESS PLANNED AND RUN THROUGHOUT THE ENTIRE LIFE CYCLE OF A
43 HIGH-RISK ARTIFICIAL INTELLIGENCE SYSTEM, REQUIRING REGULAR,

1 SYSTEMATIC REVIEW AND UPDATES. A RISK MANAGEMENT POLICY AND
2 PROGRAM IMPLEMENTED AND MAINTAINED PURSUANT TO THIS
3 SUBSECTION (2) MUST BE REASONABLE CONSIDERING:

4 (I) (A) THE GUIDANCE AND STANDARDS SET FORTH IN THE LATEST
5 VERSION OF THE "ARTIFICIAL INTELLIGENCE RISK MANAGEMENT
6 FRAMEWORK" PUBLISHED BY THE NATIONAL INSTITUTE OF STANDARDS
7 AND TECHNOLOGY IN THE UNITED STATES DEPARTMENT OF COMMERCE,
8 STANDARD ISO/IEC 42001 OF THE INTERNATIONAL ORGANIZATION FOR
9 STANDARDIZATION, OR ANOTHER NATIONALLY OR INTERNATIONALLY
10 RECOGNIZED RISK MANAGEMENT FRAMEWORK FOR ARTIFICIAL
11 INTELLIGENCE SYSTEMS; OR

12 (B) ANY RISK MANAGEMENT FRAMEWORK FOR ARTIFICIAL
13 INTELLIGENCE SYSTEMS THAT THE ATTORNEY GENERAL, IN THE ATTORNEY
14 GENERAL'S DISCRETION, MAY DESIGNATE;

15 (II) THE SIZE AND COMPLEXITY OF THE DEPLOYER;

16 (III) THE NATURE AND SCOPE OF THE HIGH-RISK ARTIFICIAL
17 INTELLIGENCE SYSTEMS DEPLOYED BY THE DEPLOYER, INCLUDING THE
18 INTENDED USES OF THE HIGH-RISK ARTIFICIAL INTELLIGENCE SYSTEMS;
19 AND

20 (IV) THE SENSITIVITY AND VOLUME OF DATA PROCESSED IN
21 CONNECTION WITH THE HIGH-RISK ARTIFICIAL INTELLIGENCE SYSTEMS
22 DEPLOYED BY THE DEPLOYER.

23 (b) A RISK MANAGEMENT POLICY AND PROGRAM IMPLEMENTED
24 PURSUANT TO SUBSECTION (2)(a) OF THIS SECTION MAY COVER MULTIPLE
25 HIGH-RISK ARTIFICIAL INTELLIGENCE SYSTEMS DEPLOYED BY THE
26 DEPLOYER.

27 (3) (a) EXCEPT AS PROVIDED IN SUBSECTIONS (3)(d) AND (3)(e) OF
28 THIS SECTION:

29 (I) A DEPLOYER, OR A THIRD PARTY CONTRACTED BY THE
30 DEPLOYER, THAT DEPLOYS A HIGH-RISK ARTIFICIAL INTELLIGENCE SYSTEM
31 ON OR AFTER OCTOBER 1, 2025, SHALL COMPLETE AN IMPACT ASSESSMENT
32 FOR THE HIGH-RISK ARTIFICIAL INTELLIGENCE SYSTEM; AND

33 (II) ON AND AFTER OCTOBER 1, 2025, A DEPLOYER, OR A THIRD
34 PARTY CONTRACTED BY THE DEPLOYER, SHALL COMPLETE AN IMPACT
35 ASSESSMENT FOR A DEPLOYED HIGH-RISK ARTIFICIAL INTELLIGENCE
36 SYSTEM AT LEAST ANNUALLY AND WITHIN NINETY DAYS AFTER ANY
37 INTENTIONAL AND SUBSTANTIAL MODIFICATION TO THE HIGH-RISK
38 ARTIFICIAL INTELLIGENCE SYSTEM IS MADE AVAILABLE.

39 (b) AN IMPACT ASSESSMENT COMPLETED PURSUANT TO THIS
40 SUBSECTION (3) MUST INCLUDE, AT A MINIMUM:

41 (I) A STATEMENT BY THE DEPLOYER DISCLOSING THE PURPOSE,
42 INTENDED USE CASES, AND DEPLOYMENT CONTEXT OF, AND BENEFITS
43 AFFORDED BY, THE HIGH-RISK ARTIFICIAL INTELLIGENCE SYSTEM;

1 (II) AN ANALYSIS OF WHETHER THE DEPLOYMENT OF THE
2 HIGH-RISK ARTIFICIAL INTELLIGENCE SYSTEM POSES ANY KNOWN OR
3 REASONABLY FORESEEABLE RISKS OF ALGORITHMIC DISCRIMINATION AND,
4 IF SO, THE NATURE OF THE ALGORITHMIC DISCRIMINATION AND THE STEPS
5 THAT HAVE BEEN TAKEN TO MITIGATE THE RISKS;

6 (III) A DESCRIPTION OF THE CATEGORIES OF DATA THE HIGH-RISK
7 ARTIFICIAL INTELLIGENCE SYSTEM PROCESSES AS INPUTS AND THE
8 OUTPUTS THE HIGH-RISK ARTIFICIAL INTELLIGENCE SYSTEM PRODUCES;

9 (IV) IF THE DEPLOYER USED DATA TO CUSTOMIZE THE HIGH-RISK
10 ARTIFICIAL INTELLIGENCE SYSTEM, AN OVERVIEW OF THE CATEGORIES OF
11 DATA THE DEPLOYER USED TO CUSTOMIZE THE HIGH-RISK ARTIFICIAL
12 INTELLIGENCE SYSTEM;

13 (V) ANY METRICS USED TO EVALUATE THE PERFORMANCE AND
14 KNOWN LIMITATIONS OF THE HIGH-RISK ARTIFICIAL INTELLIGENCE
15 SYSTEM;

16 (VI) A DESCRIPTION OF ANY TRANSPARENCY MEASURES TAKEN
17 CONCERNING THE HIGH-RISK ARTIFICIAL INTELLIGENCE SYSTEM,
18 INCLUDING ANY MEASURES TAKEN TO DISCLOSE TO A CONSUMER THAT THE
19 HIGH-RISK ARTIFICIAL INTELLIGENCE SYSTEM IS IN USE WHEN THE
20 HIGH-RISK ARTIFICIAL INTELLIGENCE SYSTEM IS IN USE; AND

21 (VII) A DESCRIPTION OF THE POST-DEPLOYMENT MONITORING AND
22 USER SAFEGUARDS PROVIDED CONCERNING THE HIGH-RISK ARTIFICIAL
23 INTELLIGENCE SYSTEM, INCLUDING THE OVERSIGHT PROCESS ESTABLISHED
24 BY THE DEPLOYER TO ADDRESS ISSUES ARISING FROM THE DEPLOYMENT OF
25 THE HIGH-RISK ARTIFICIAL INTELLIGENCE SYSTEM.

26 (c) IN ADDITION TO THE INFORMATION REQUIRED UNDER
27 SUBSECTION (3)(b) OF THIS SECTION, AN IMPACT ASSESSMENT COMPLETED
28 PURSUANT TO THIS SUBSECTION (3) FOLLOWING AN INTENTIONAL AND
29 SUBSTANTIAL MODIFICATION TO A HIGH-RISK ARTIFICIAL INTELLIGENCE
30 SYSTEM ON OR AFTER OCTOBER 1, 2025, MUST INCLUDE A STATEMENT
31 DISCLOSING THE EXTENT TO WHICH THE HIGH-RISK ARTIFICIAL
32 INTELLIGENCE SYSTEM WAS USED IN A MANNER THAT WAS CONSISTENT
33 WITH, OR VARIED FROM, THE DEVELOPER'S INTENDED USES OF THE
34 HIGH-RISK ARTIFICIAL INTELLIGENCE SYSTEM.

35 (d) A SINGLE IMPACT ASSESSMENT MAY ADDRESS A COMPARABLE
36 SET OF HIGH-RISK ARTIFICIAL INTELLIGENCE SYSTEMS DEPLOYED BY A
37 DEPLOYER.

38 (e) IF A DEPLOYER, OR A THIRD PARTY CONTRACTED BY THE
39 DEPLOYER, COMPLETES AN IMPACT ASSESSMENT FOR THE PURPOSE OF
40 COMPLYING WITH ANOTHER APPLICABLE LAW OR REGULATION, THE
41 IMPACT ASSESSMENT SATISFIES THE REQUIREMENTS ESTABLISHED IN THIS
42 SUBSECTION (3) IF THE IMPACT ASSESSMENT IS REASONABLY SIMILAR IN
43 SCOPE AND EFFECT TO THE IMPACT ASSESSMENT THAT WOULD OTHERWISE

1 BE COMPLETED PURSUANT TO THIS SUBSECTION (3).

2 (f) A DEPLOYER SHALL MAINTAIN THE MOST RECENTLY
3 COMPLETED IMPACT ASSESSMENT FOR A HIGH-RISK ARTIFICIAL
4 INTELLIGENCE SYSTEM AS REQUIRED UNDER THIS SUBSECTION (3), ALL
5 RECORDS CONCERNING EACH IMPACT ASSESSMENT, AND ALL PRIOR IMPACT
6 ASSESSMENTS, IF ANY, FOR AT LEAST THREE YEARS FOLLOWING THE FINAL
7 DEPLOYMENT OF THE HIGH-RISK ARTIFICIAL INTELLIGENCE SYSTEM.

8 (g) ON OR BEFORE OCTOBER 1, 2025, AND AT LEAST ANNUALLY
9 THEREAFTER, A DEPLOYER, OR A THIRD PARTY CONTRACTED BY THE
10 DEPLOYER, MUST REVIEW THE DEPLOYMENT OF EACH HIGH-RISK
11 ARTIFICIAL INTELLIGENCE SYSTEM DEPLOYED BY THE DEPLOYER TO
12 ENSURE THAT THE HIGH-RISK ARTIFICIAL INTELLIGENCE SYSTEM IS NOT
13 CAUSING ALGORITHMIC DISCRIMINATION.

14 (4)(a) ON AND AFTER OCTOBER 1, 2025, AND NO LATER THAN THE
15 TIME THAT A DEPLOYER DEPLOYS A HIGH-RISK ARTIFICIAL INTELLIGENCE
16 SYSTEM TO MAKE, OR BE A SUBSTANTIAL FACTOR IN MAKING, A
17 CONSEQUENTIAL DECISION CONCERNING A CONSUMER, THE DEPLOYER
18 SHALL:

19 (I) NOTIFY THE CONSUMER THAT THE DEPLOYER HAS DEPLOYED A
20 HIGH-RISK ARTIFICIAL INTELLIGENCE SYSTEM TO MAKE, OR BE A
21 SUBSTANTIAL FACTOR IN MAKING, THE CONSEQUENTIAL DECISION;

22 (II) PROVIDE TO THE CONSUMER A STATEMENT DISCLOSING THE
23 PURPOSE OF THE HIGH-RISK ARTIFICIAL INTELLIGENCE SYSTEM AND THE
24 NATURE OF THE CONSEQUENTIAL DECISION, THE CONTACT INFORMATION
25 FOR THE DEPLOYER, AND A DESCRIPTION, IN PLAIN LANGUAGE, OF THE
26 HIGH-RISK ARTIFICIAL INTELLIGENCE SYSTEM, INCLUDING A DESCRIPTION
27 OF ANY HUMAN COMPONENTS OF THE HIGH-RISK ARTIFICIAL INTELLIGENCE
28 SYSTEM AND A DESCRIPTION OF:

29 (A) THE PERSONAL ATTRIBUTES OR CHARACTERISTICS THAT THE
30 HIGH-RISK ARTIFICIAL INTELLIGENCE SYSTEM ASSESSES OR MEASURES, THE
31 METHOD BY WHICH THE HIGH-RISK ARTIFICIAL INTELLIGENCE SYSTEM
32 ASSESSES OR MEASURES THE ATTRIBUTES OR CHARACTERISTICS, AND WHY
33 THE ATTRIBUTES OR CHARACTERISTICS ARE RELEVANT TO THE
34 CONSEQUENTIAL DECISION;

35 (B) THE OUTPUTS OF THE HIGH-RISK ARTIFICIAL INTELLIGENCE
36 SYSTEM;

37 (C) THE LOGIC USED BY THE HIGH-RISK ARTIFICIAL INTELLIGENCE
38 SYSTEM, INCLUDING THE KEY PARAMETERS THAT AFFECT THE OUTPUTS OF
39 THE HIGH-RISK ARTIFICIAL INTELLIGENCE SYSTEM;

40 (D) THE SOURCES OF DATA USED BY THE HIGH-RISK ARTIFICIAL
41 INTELLIGENCE SYSTEM;

42 (E) THE SOURCES AND TYPES OF DATA COLLECTED FROM
43 CONSUMERS AND PROCESSED BY THE HIGH-RISK ARTIFICIAL INTELLIGENCE

1 SYSTEM WHEN THE HIGH-RISK ARTIFICIAL INTELLIGENCE SYSTEM IS USED
2 TO MAKE, OR IS A SUBSTANTIAL FACTOR IN MAKING, A CONSEQUENTIAL
3 DECISION;

4 (F) THE RESULTS OF THE IMPACT ASSESSMENT MOST RECENTLY
5 COMPLETED FOR THE HIGH-RISK ARTIFICIAL INTELLIGENCE SYSTEM
6 PURSUANT TO SUBSECTION (3) OF THIS SECTION OR AN ACTIVE LINK TO A
7 WEBSITE WHERE THE CONSUMER MAY REVIEW THE RESULTS;

8 (G) ANY HUMAN COMPONENTS OF THE HIGH-RISK ARTIFICIAL
9 INTELLIGENCE SYSTEM; AND

10 (H) HOW THE AUTOMATED COMPONENTS OF THE HIGH-RISK
11 ARTIFICIAL INTELLIGENCE SYSTEM ARE USED TO INFORM THE
12 CONSEQUENTIAL DECISION; AND

13 (III) PROVIDE TO THE CONSUMER INFORMATION, IF APPLICABLE,
14 REGARDING THE CONSUMER'S RIGHT TO OPT OUT OF THE PROCESSING OF
15 PERSONAL DATA CONCERNING THE CONSUMER FOR PURPOSES OF
16 PROFILING IN FURTHERANCE OF DECISIONS THAT PRODUCE LEGAL OR
17 SIMILARLY SIGNIFICANT EFFECTS CONCERNING THE CONSUMER UNDER
18 SECTION 6-1-1306 (1)(a)(I)(C).

19 (b) A DEPLOYER SHALL PROVIDE THE CONSUMER WITH AN
20 OPPORTUNITY TO APPEAL AN ADVERSE CONSEQUENTIAL DECISION
21 CONCERNING THE CONSUMER ARISING FROM THE DEPLOYMENT OF A
22 HIGH-RISK ARTIFICIAL INTELLIGENCE SYSTEM, WHICH APPEAL MUST, IF
23 TECHNICALLY FEASIBLE, ALLOW FOR HUMAN REVIEW.

24 (c) (I) EXCEPT AS PROVIDED IN SUBSECTION (4)(c)(II) OF THIS
25 SECTION, A DEPLOYER SHALL PROVIDE THE NOTICE, STATEMENT, CONTACT
26 INFORMATION, AND DESCRIPTION REQUIRED BY SUBSECTION (4)(a) OF THIS
27 SECTION:

28 (A) DIRECTLY TO THE CONSUMER;

29 (B) IN PLAIN LANGUAGE;

30 (C) IN ALL LANGUAGES IN WHICH THE DEPLOYER, IN THE
31 ORDINARY COURSE OF THE DEPLOYER'S BUSINESS, PROVIDES CONTRACTS,
32 DISCLAIMERS, SALE ANNOUNCEMENTS, AND OTHER INFORMATION TO
33 CONSUMERS; AND

34 (D) IN A FORMAT THAT IS ACCESSIBLE TO CONSUMERS WITH
35 DISABILITIES.

36 (II) IF THE DEPLOYER IS UNABLE TO PROVIDE THE NOTICE,
37 STATEMENT, CONTACT INFORMATION, AND DESCRIPTION REQUIRED BY
38 SUBSECTION (4)(a) OF THIS SECTION DIRECTLY TO THE CONSUMER, THE
39 DEPLOYER SHALL MAKE THE NOTICE, STATEMENT, CONTACT
40 INFORMATION, AND DESCRIPTION AVAILABLE IN A MANNER THAT IS
41 REASONABLY CALCULATED TO ENSURE THAT THE CONSUMER RECEIVES
42 THE NOTICE, STATEMENT, CONTACT INFORMATION, AND DESCRIPTION.

43 (5)(a) ON AND AFTER OCTOBER 1, 2025, A DEPLOYER SHALL MAKE

1 AVAILABLE, IN A MANNER THAT IS CLEAR AND READILY AVAILABLE FOR
2 PUBLIC INSPECTION, A STATEMENT SUMMARIZING:

3 (I) THE TYPES OF HIGH-RISK ARTIFICIAL INTELLIGENCE SYSTEMS
4 THAT ARE CURRENTLY DEPLOYED BY THE DEPLOYER;

5 (II) HOW THE DEPLOYER MANAGES KNOWN OR REASONABLY
6 FORESEEABLE RISKS OF ALGORITHMIC DISCRIMINATION THAT MAY ARISE
7 FROM THE DEPLOYMENT OF EACH HIGH-RISK ARTIFICIAL INTELLIGENCE
8 SYSTEM DESCRIBED PURSUANT TO SUBSECTION (5)(a)(I) OF THIS SECTION;
9 AND

10 (III) IN DETAIL, THE NATURE, SOURCE, AND EXTENT OF THE
11 INFORMATION COLLECTED AND USED BY THE DEPLOYER.

12 (b) A DEPLOYER SHALL PERIODICALLY UPDATE THE STATEMENT
13 DESCRIBED IN SUBSECTION (5)(a) OF THIS SECTION.

14 (6) IF A DEPLOYER DEPLOYS A HIGH-RISK ARTIFICIAL INTELLIGENCE
15 SYSTEM ON OR AFTER OCTOBER 1, 2025, AND SUBSEQUENTLY DISCOVERS
16 THAT THE HIGH-RISK ARTIFICIAL INTELLIGENCE SYSTEM HAS CAUSED
17 ALGORITHMIC DISCRIMINATION AGAINST A CONSUMER, THE DEPLOYER,
18 WITHOUT UNREASONABLE DELAY, BUT NO LATER THAN NINETY DAYS
19 AFTER THE DATE OF THE DISCOVERY, SHALL SEND TO THE ATTORNEY
20 GENERAL, IN A FORM AND MANNER PRESCRIBED BY THE ATTORNEY
21 GENERAL, A NOTICE DISCLOSING THE DISCOVERY.

22 (7) NOTHING IN SUBSECTIONS (2) TO (6) OF THIS SECTION REQUIRES
23 A DEPLOYER TO DISCLOSE A TRADE SECRET OR OTHER CONFIDENTIAL OR
24 PROPRIETARY INFORMATION.

25 (8) ON AND AFTER OCTOBER 1, 2025, THE ATTORNEY GENERAL
26 MAY REQUIRE THAT A DEPLOYER, OR A THIRD PARTY CONTRACTED BY THE
27 DEPLOYER, DISCLOSE TO THE ATTORNEY GENERAL, IN A FORM AND
28 MANNER PRESCRIBED BY THE ATTORNEY GENERAL, THE RISK
29 MANAGEMENT POLICY IMPLEMENTED PURSUANT TO SUBSECTION (2) OF
30 THIS SECTION, IMPACT ASSESSMENT COMPLETED PURSUANT TO
31 SUBSECTION (3) OF THIS SECTION, OR RECORDS MAINTAINED PURSUANT TO
32 SUBSECTION (3)(f) OF THIS SECTION IF THE RISK MANAGEMENT POLICY,
33 IMPACT ASSESSMENT, OR RECORDS ARE RELEVANT TO AN INVESTIGATION
34 CONDUCTED BY THE ATTORNEY GENERAL. THE ATTORNEY GENERAL MAY
35 EVALUATE THE RISK MANAGEMENT POLICY, IMPACT ASSESSMENT, OR
36 RECORDS TO ENSURE COMPLIANCE WITH THIS PART 16, AND THE RISK
37 MANAGEMENT POLICY, IMPACT ASSESSMENT, AND RECORDS ARE NOT
38 SUBJECT TO DISCLOSURE UNDER THE "COLORADO OPEN RECORDS ACT",
39 PART 2 OF ARTICLE 72 OF TITLE 24. TO THE EXTENT THAT ANY
40 INFORMATION CONTAINED IN THE RISK MANAGEMENT POLICY, IMPACT
41 ASSESSMENT, OR RECORDS INCLUDE INFORMATION SUBJECT TO
42 ATTORNEY-CLIENT PRIVILEGE OR WORK-PRODUCT PROTECTION, THE
43 DISCLOSURE DOES NOT CONSTITUTE A WAIVER OF THE PRIVILEGE OR

1 PROTECTION.

2 **6-1-1604. General purpose artificial intelligence model -**
3 **developer documentation requirements - copyright policy -**
4 **exceptions - rules.** (1) ON AND AFTER JANUARY 1, 2026, A DEVELOPER
5 OF A GENERAL PURPOSE ARTIFICIAL INTELLIGENCE MODEL SHALL:
6 (a) EXCEPT AS PROVIDED IN SUBSECTION (2)(a) OF THIS SECTION,
7 CREATE AND MAINTAIN TECHNICAL DOCUMENTATION FOR THE GENERAL
8 PURPOSE ARTIFICIAL INTELLIGENCE MODEL, WHICH DOCUMENTATION
9 MUST:
10 (I) INCLUDE:
11 (A) THE TRAINING AND TESTING PROCESSES FOR THE GENERAL
12 PURPOSE ARTIFICIAL INTELLIGENCE MODEL; AND
13 (B) THE RESULTS OF AN EVALUATION OF THE GENERAL PURPOSE
14 ARTIFICIAL INTELLIGENCE MODEL TO DETERMINE WHETHER THE GENERAL
15 PURPOSE ARTIFICIAL INTELLIGENCE MODEL IS IN COMPLIANCE WITH
16 SECTIONS 6-1-1601 TO 6-1-1607;
17 (II) INCLUDE AT LEAST THE FOLLOWING INFORMATION, AS
18 APPROPRIATE, CONSIDERING THE SIZE AND RISK PROFILE OF THE GENERAL
19 PURPOSE ARTIFICIAL INTELLIGENCE MODEL:
20 (A) THE TASKS THE GENERAL PURPOSE ARTIFICIAL INTELLIGENCE
21 MODEL IS INTENDED TO PERFORM;
22 (B) THE TYPE AND NATURE OF ARTIFICIAL INTELLIGENCE SYSTEMS
23 INTO WHICH THE GENERAL PURPOSE ARTIFICIAL INTELLIGENCE MODEL IS
24 INTENDED TO BE INTEGRATED;
25 (C) ACCEPTABLE USE POLICIES FOR THE GENERAL PURPOSE
26 ARTIFICIAL INTELLIGENCE MODEL;
27 (D) THE DATE THE GENERAL PURPOSE ARTIFICIAL INTELLIGENCE
28 MODEL IS RELEASED;
29 (E) THE METHODS BY WHICH THE GENERAL PURPOSE ARTIFICIAL
30 INTELLIGENCE MODEL IS DISTRIBUTED;
31 (F) THE MODALITY AND FORMAT OF INPUTS AND OUTPUTS FOR THE
32 GENERAL PURPOSE ARTIFICIAL INTELLIGENCE MODEL; AND
33 (G) A DESCRIPTION OF THE DATA THAT WAS USED FOR PURPOSES
34 OF TRAINING, TESTING, AND VALIDATION, WHERE APPLICABLE, INCLUDING
35 THE TYPE AND PROVENANCE OF THE DATA, DATA CURATION
36 METHODOLOGIES, HOW THE DATA WAS OBTAINED AND SELECTED, ALL
37 OTHER MEASURES USED TO IDENTIFY UNSUITABLE DATA SOURCES, AND
38 METHODS USED TO DETECT IDENTIFIABLE BIASES, WHERE APPLICABLE; AND
39 (b) CREATE, IMPLEMENT, MAINTAIN, AND MAKE AVAILABLE TO A
40 PERSON THAT INTENDS TO INTEGRATE THE GENERAL PURPOSE ARTIFICIAL
41 INTELLIGENCE MODEL INTO THE PERSON'S ARTIFICIAL INTELLIGENCE
42 SYSTEMS DOCUMENTATION AND INFORMATION THAT:
43 (I) ENABLES THE PERSON TO:

1 (A) UNDERSTAND THE CAPABILITIES AND LIMITATIONS OF THE
2 GENERAL PURPOSE ARTIFICIAL INTELLIGENCE MODEL; AND
3 (B) COMPLY WITH THE PERSON'S OBLIGATIONS UNDER THIS PART
4 16;
5 (II) DISCLOSES, AT A MINIMUM:
6 (A) THE TECHNICAL REQUIREMENTS FOR THE GENERAL PURPOSE
7 ARTIFICIAL INTELLIGENCE MODEL TO BE INTEGRATED INTO THE PERSON'S
8 ARTIFICIAL INTELLIGENCE SYSTEMS; AND
9 (B) THE INFORMATION REQUIRED BY THIS SUBSECTION (1)(b);
10 (c) EXCEPT AS PROVIDED IN SUBSECTION (2)(a) OF THIS SECTION,
11 REVIEW AND REVISE THE TECHNICAL DOCUMENTATION FOR THE GENERAL
12 PURPOSE ARTIFICIAL INTELLIGENCE MODEL CREATED PURSUANT TO
13 SUBSECTIONS (1)(a) AND (1)(b) OF THIS SECTION AT LEAST ANNUALLY OR
14 MORE FREQUENTLY AS NECESSARY TO MAINTAIN THE ACCURACY OF THE
15 TECHNICAL DOCUMENTATION;
16 (d) EXCEPT AS PROVIDED IN SUBSECTION (2)(a) OF THIS SECTION,
17 ESTABLISH, IMPLEMENT, AND MAINTAIN A POLICY TO COMPLY WITH
18 FEDERAL AND STATE COPYRIGHT LAWS; AND
19 (e) EXCEPT AS PROVIDED IN SUBSECTION (2)(a) OF THIS SECTION,
20 CREATE, MAINTAIN, AND MAKE PUBLICLY AVAILABLE, IN A FORM AND
21 MANNER PRESCRIBED BY THE ATTORNEY GENERAL, A DETAILED SUMMARY
22 CONCERNING THE CONTENT USED TO TRAIN THE GENERAL PURPOSE
23 ARTIFICIAL INTELLIGENCE MODEL.
24 (2) (a) SUBSECTION (1) OF THIS SECTION DOES NOT APPLY TO A
25 DEVELOPER THAT DEVELOPS OR INTENTIONALLY AND SUBSTANTIALLY
26 MODIFIES A GENERAL PURPOSE ARTIFICIAL INTELLIGENCE MODEL ON OR
27 AFTER JANUARY 1, 2026, IF:
28 (I) THE DEVELOPER RELEASES THE GENERAL PURPOSE ARTIFICIAL
29 INTELLIGENCE MODEL UNDER A FREE AND OPEN-SOURCE LICENSE THAT
30 ALLOWS FOR:
31 (A) ACCESS TO, AND MODIFICATION, DISTRIBUTION, AND USAGE
32 OF, THE GENERAL PURPOSE ARTIFICIAL INTELLIGENCE MODEL; AND
33 (B) THE PARAMETERS OF THE GENERAL PURPOSE ARTIFICIAL
34 INTELLIGENCE MODEL TO BE MADE AVAILABLE AS SET FORTH IN
35 SUBSECTION (2)(a)(II) OF THIS SECTION; AND
36 (II) UNLESS THE GENERAL PURPOSE ARTIFICIAL INTELLIGENCE
37 MODEL IS DEPLOYED AS A HIGH-RISK ARTIFICIAL INTELLIGENCE SYSTEM,
38 THE PARAMETERS OF THE GENERAL PURPOSE ARTIFICIAL INTELLIGENCE
39 MODEL, INCLUDING THE WEIGHTS AND INFORMATION CONCERNING THE
40 MODEL ARCHITECTURE AND MODEL USAGE FOR THE GENERAL PURPOSE
41 ARTIFICIAL INTELLIGENCE MODEL, ARE MADE PUBLICLY AVAILABLE.
42 (b) A DEVELOPER THAT ACTS UNDER THE EXEMPTION ESTABLISHED
43 IN SUBSECTION (2)(a) OF THIS SECTION BEARS THE BURDEN OF

1 DEMONSTRATING THAT THE ACTION QUALIFIES FOR SUCH EXEMPTION.
2 (3) NOTHING IN SUBSECTION (1) OF THIS SECTION REQUIRES A
3 DEVELOPER TO DISCLOSE A TRADE SECRET OR OTHER CONFIDENTIAL OR
4 PROPRIETARY INFORMATION.

5 (4) ON AND AFTER JANUARY 1, 2026, THE ATTORNEY GENERAL
6 MAY REQUIRE THAT A DEVELOPER OF A GENERAL PURPOSE ARTIFICIAL
7 INTELLIGENCE MODEL DISCLOSE TO THE ATTORNEY GENERAL, IN A FORM
8 AND MANNER PRESCRIBED BY THE ATTORNEY GENERAL, ANY
9 DOCUMENTATION MAINTAINED PURSUANT TO THIS SECTION IF THE
10 DOCUMENTATION IS RELEVANT TO AN INVESTIGATION CONDUCTED BY THE
11 ATTORNEY GENERAL. THE ATTORNEY GENERAL MAY EVALUATE THE
12 DOCUMENTATION TO ENSURE COMPLIANCE WITH THIS SECTION AND ANY
13 RULES ADOPTED PURSUANT TO SECTION 6-1-1609, AND THE
14 DOCUMENTATION IS NOT SUBJECT TO DISCLOSURE UNDER THE "COLORADO
15 OPEN RECORDS ACT", PART 2 OF ARTICLE 72 OF TITLE 24. TO THE EXTENT
16 THAT THE DOCUMENTATION INCLUDES INFORMATION SUBJECT TO
17 ATTORNEY-CLIENT PRIVILEGE OR WORK-PRODUCT PROTECTION, THE
18 DISCLOSURE DOES NOT CONSTITUTE A WAIVER OF THE PRIVILEGE OR
19 PROTECTION.

20 **6-1-1605. Disclosure of a high-risk artificial intelligence**
21 **system to consumer.** (1) ON AND AFTER OCTOBER 1, 2025, AND EXCEPT
22 AS PROVIDED IN SUBSECTION (2) OF THIS SECTION, A PERSON DOING
23 BUSINESS IN THIS STATE, INCLUDING A DEPLOYER, THAT DEPLOYS, OFFERS,
24 SELLS, LEASES, LICENSES, GIVES, OR OTHERWISE MAKES AVAILABLE A
25 HIGH-RISK ARTIFICIAL INTELLIGENCE SYSTEM THAT IS INTENDED TO
26 INTERACT WITH CONSUMERS SHALL ENSURE THE DISCLOSURE TO EACH
27 CONSUMER WHO INTERACTS WITH THE HIGH-RISK ARTIFICIAL
28 INTELLIGENCE SYSTEM THAT THE CONSUMER IS INTERACTING WITH A
29 HIGH-RISK ARTIFICIAL INTELLIGENCE SYSTEM.

30 (2) DISCLOSURE IS NOT REQUIRED UNDER SUBSECTION (1) OF THIS
31 SECTION UNDER CIRCUMSTANCES IN WHICH IT WOULD BE OBVIOUS TO A
32 REASONABLE PERSON THAT THE PERSON IS INTERACTING WITH A HIGH-RISK
33 ARTIFICIAL INTELLIGENCE SYSTEM.

34 **6-1-1606. Developer duty to mark synthetic digital content -**
35 **exemptions.** (1) ON AND AFTER JANUARY 1, 2026, AND EXCEPT AS
36 PROVIDED IN SUBSECTION (3) OF THIS SECTION, THE DEVELOPER OF AN
37 ARTIFICIAL INTELLIGENCE SYSTEM, INCLUDING A GENERAL PURPOSE
38 ARTIFICIAL INTELLIGENCE MODEL, THAT GENERATES OR MANIPULATES
39 SYNTHETIC DIGITAL CONTENT SHALL:

40 (a) ENSURE THAT THE OUTPUTS OF THE ARTIFICIAL INTELLIGENCE
41 SYSTEM ARE:

- 42 (I) MARKED AND DETECTABLE AS SYNTHETIC DIGITAL CONTENT;
43 (II) MARKED AND DETECTABLE AS SYNTHETIC DIGITAL CONTENT

1 NO LATER THAN THE TIME THAT A CONSUMER WHO DID NOT CREATE THE
2 OUTPUTS FIRST INTERACTS WITH, OR IS EXPOSED TO, THE OUTPUTS; AND
3 (III) MARKED IN A MANNER THAT IS DETECTABLE BY CONSUMERS
4 AND COMPLIES WITH ANY APPLICABLE ACCESSIBILITY REQUIREMENTS; AND
5 (b) AS FAR AS TECHNICALLY FEASIBLE AND IN A MANNER THAT IS
6 CONSISTENT WITH ANY NATIONALLY OR INTERNATIONALLY RECOGNIZED
7 TECHNICAL STANDARDS, ENSURE THAT THE DEVELOPER'S TECHNICAL
8 SOLUTIONS ARE EFFECTIVE, INTEROPERABLE, ROBUST, AND RELIABLE,
9 TAKING INTO ACCOUNT:
10 (I) THE SPECIFICITIES AND LIMITATIONS OF DIFFERENT TYPES OF
11 SYNTHETIC DIGITAL CONTENT;
12 (II) THE IMPLEMENTATION COSTS; AND
13 (III) THE GENERALLY ACKNOWLEDGED STATE OF THE ART.
14 (2) IF THE SYNTHETIC DIGITAL CONTENT DESCRIBED IN SUBSECTION
15 (1) OF THIS SECTION IS IN AN AUDIO, IMAGE, OR VIDEO FORMAT, AND THE
16 SYNTHETIC DIGITAL CONTENT FORMS PART OF AN EVIDENTLY ARTISTIC,
17 CREATIVE, SATIRICAL, FICTIONAL, OR ANALOGOUS WORK OR PROGRAM,
18 THE REQUIREMENTS OF SUBSECTION (1) OF THIS SECTION ARE LIMITED TO
19 DISCLOSURES THAT DO NOT HINDER THE DISPLAY OR ENJOYMENT OF SUCH
20 WORK OR PROGRAM.
21 (3) SUBSECTION (1) OF THIS SECTION DOES NOT APPLY TO:
22 (a) ANY SYNTHETIC DIGITAL CONTENT THAT:
23 (I) CONSISTS EXCLUSIVELY OF TEXT;
24 (II) IS PUBLISHED TO INFORM THE PUBLIC ON ANY MATTER OF
25 PUBLIC INTEREST;
26 (III) HAS BEEN SUBJECT TO A PROCESS OF HUMAN REVIEW OR
27 EDITORIAL CONTROL;
28 (IV) IS UNLIKELY TO MISLEAD A REASONABLE PERSON CONSUMING
29 THE SYNTHETIC DIGITAL CONTENT; OR
30 (V) IS SUBJECT TO CONTROL BY A PERSON WHO HOLDS EDITORIAL
31 RESPONSIBILITY FOR THE PUBLICATION OF THE SYNTHETIC DIGITAL
32 CONTENT; OR
33 (b) ANY ARTIFICIAL INTELLIGENCE SYSTEM DESCRIBED IN
34 SUBSECTION (1) OF THIS SECTION, TO THE EXTENT THE ARTIFICIAL
35 INTELLIGENCE SYSTEM:
36 (I) PERFORMS AN ASSISTIVE FUNCTION FOR STANDARD EDITING;
37 (II) DOES NOT SUBSTANTIALLY ALTER THE INPUT DATA PROVIDED
38 BY THE DEVELOPER OR THE SEMANTICS OF THE DATA; OR
39 (III) IS USED TO DETECT, PREVENT, INVESTIGATE, OR PROSECUTE
40 ANY CRIME WHERE AUTHORIZED BY LAW.
41 **6-1-1607. Compliance with other legal obligations.**
42 (1) NOTHING IN THIS PART 16 RESTRICTS A DEVELOPER'S, A DEPLOYER'S,
43 OR OTHER PERSON'S ABILITY TO:

- 1 (a) COMPLY WITH FEDERAL, STATE, OR MUNICIPAL LAWS,
2 ORDINANCES, OR REGULATIONS;
- 3 (b) COMPLY WITH A CIVIL, CRIMINAL, OR REGULATORY INQUIRY,
4 INVESTIGATION, SUBPOENA, OR SUMMONS BY A FEDERAL, A STATE, A
5 MUNICIPAL, OR OTHER GOVERNMENTAL AUTHORITY;
- 6 (c) COOPERATE WITH A LAW ENFORCEMENT AGENCY CONCERNING
7 CONDUCT OR ACTIVITY THAT THE DEVELOPER, DEPLOYER, OR OTHER
8 PERSON REASONABLY AND IN GOOD FAITH BELIEVES MAY VIOLATE
9 FEDERAL, STATE, OR MUNICIPAL LAWS, ORDINANCES, OR REGULATIONS;
- 10 (d) INVESTIGATE, ESTABLISH, EXERCISE, PREPARE FOR, OR DEFEND
11 LEGAL CLAIMS;
- 12 (e) TAKE IMMEDIATE STEPS TO PROTECT AN INTEREST THAT IS
13 ESSENTIAL FOR THE LIFE OR PHYSICAL SAFETY OF A CONSUMER OR
14 ANOTHER INDIVIDUAL;
- 15 (f) BY ANY MEANS OTHER THAN THE USE OF FACIAL RECOGNITION
16 TECHNOLOGY, PREVENT, DETECT, PROTECT AGAINST, OR RESPOND TO
17 SECURITY INCIDENTS, IDENTITY THEFT, FRAUD, HARASSMENT, MALICIOUS
18 OR DECEPTIVE ACTIVITIES, OR ILLEGAL ACTIVITY; INVESTIGATE, REPORT,
19 OR PROSECUTE THE PERSONS RESPONSIBLE FOR ANY SUCH ACTION; OR
20 PRESERVE THE INTEGRITY OR SECURITY OF SYSTEMS;
- 21 (g) ENGAGE IN PUBLIC OR PEER-REVIEWED SCIENTIFIC OR
22 STATISTICAL RESEARCH IN THE PUBLIC INTEREST THAT ADHERES TO ALL
23 OTHER APPLICABLE ETHICS AND PRIVACY LAWS AND IS CONDUCTED IN
24 ACCORDANCE WITH 45 CFR 46, AS AMENDED, OR RELEVANT
25 REQUIREMENTS ESTABLISHED BY THE FEDERAL FOOD AND DRUG
26 ADMINISTRATION;
- 27 (h) CONDUCT RESEARCH, TESTING, AND DEVELOPMENT ACTIVITIES
28 REGARDING AN ARTIFICIAL INTELLIGENCE SYSTEM OR MODEL, OTHER THAN
29 TESTING CONDUCTED UNDER REAL-WORLD CONDITIONS, BEFORE THE
30 ARTIFICIAL INTELLIGENCE SYSTEM OR MODEL IS PLACED ON THE MARKET,
31 DEPLOYED, OR PUT INTO SERVICE, AS APPLICABLE; OR
- 32 (i) ASSIST ANOTHER DEVELOPER, DEPLOYER, OR OTHER PERSON
33 WITH ANY OF THE OBLIGATIONS IMPOSED UNDER THIS PART 16.
- 34 (2) THE OBLIGATIONS IMPOSED ON DEVELOPERS, DEPLOYERS, OR
35 OTHER PERSONS UNDER THIS PART 16 DO NOT RESTRICT A DEVELOPER'S, A
36 DEPLOYER'S, OR OTHER PERSON'S ABILITY TO:
- 37 (a) EFFECTUATE A PRODUCT RECALL; OR
- 38 (b) IDENTIFY AND REPAIR TECHNICAL ERRORS THAT IMPAIR
39 EXISTING OR INTENDED FUNCTIONALITY.
- 40 (3) THE OBLIGATIONS IMPOSED ON DEVELOPERS, DEPLOYERS, OR
41 OTHER PERSONS UNDER THIS PART 16 DO NOT APPLY WHERE COMPLIANCE
42 WITH THIS PART 16 BY THE DEVELOPER, DEPLOYER, OR OTHER PERSON
43 WOULD VIOLATE AN EVIDENTIARY PRIVILEGE UNDER THE LAWS OF THIS

1 STATE.

2 (4) NOTHING IN THIS PART 16 IMPOSES ANY OBLIGATION ON A
3 DEVELOPER, A DEPLOYER, OR OTHER PERSON THAT ADVERSELY AFFECTS
4 THE RIGHTS OR FREEDOMS OF A PERSON, INCLUDING THE RIGHTS OF A
5 PERSON TO FREEDOM OF SPEECH OR FREEDOM OF THE PRESS THAT ARE
6 GUARANTEED IN:

7 (a) THE FIRST AMENDMENT TO THE UNITED STATES CONSTITUTION;
8 OR

9 (b) SECTION 10 OF ARTICLE II OF THE STATE CONSTITUTION.

10 (5) NOTHING IN THIS PART 16 APPLIES TO A DEVELOPER, A
11 DEPLOYER, OR OTHER PERSON:

12 (a) INsofar AS THE DEVELOPER, DEPLOYER, OR OTHER PERSON
13 DEVELOPS, DEPLOYS, PUTS INTO SERVICE, OR INTENTIONALLY AND
14 SUBSTANTIALLY MODIFIES, AS APPLICABLE, A HIGH-RISK ARTIFICIAL
15 INTELLIGENCE SYSTEM OR A GENERAL PURPOSE ARTIFICIAL INTELLIGENCE
16 MODEL:

17 (I) THAT HAS BEEN APPROVED BY THE FEDERAL FOOD AND DRUG
18 ADMINISTRATION OR THE FEDERAL OFFICE OF THE NATIONAL
19 COORDINATOR FOR HEALTH INFORMATION TECHNOLOGY; AND

20 (II) FOR WHICH THE DEVELOPER, DEPLOYER, OR OTHER PERSON, AS
21 APPLICABLE, HAS ESTABLISHED AND MAINTAINS A GOVERNANCE POLICY;
22 OR

23 (b) CONDUCTING RESEARCH REQUIRED TO SUPPORT AN
24 APPLICATION FOR APPROVAL FROM THE FEDERAL FOOD AND DRUG
25 ADMINISTRATION.

26 (6) IF A DEVELOPER, A DEPLOYER, OR OTHER PERSON ENGAGES IN
27 AN ACTION PURSUANT TO AN EXEMPTION SET FORTH IN THIS SECTION, THE
28 DEVELOPER, DEPLOYER, OR OTHER PERSON BEARS THE BURDEN OF
29 DEMONSTRATING THAT THE ACTION QUALIFIES FOR THE EXEMPTION.

30 **6-1-1608. Enforcement by attorney general and district**
31 **attorneys.** (1) THE ATTORNEY GENERAL AND DISTRICT ATTORNEYS HAVE
32 EXCLUSIVE AUTHORITY TO ENFORCE SECTIONS 6-1-1601 TO 6-1-1607.

33 (2) EXCEPT AS PROVIDED IN SUBSECTION (6) OF THIS SECTION,
34 DURING THE PERIOD FROM OCTOBER 1, 2025, THROUGH JUNE 30, 2026,
35 THE ATTORNEY GENERAL OR A DISTRICT ATTORNEY, PRIOR TO INITIATING
36 ANY ACTION FOR A VIOLATION OF SECTIONS 6-1-1601 TO 6-1-1607, SHALL
37 ISSUE A NOTICE OF VIOLATION TO THE DEVELOPER, DEPLOYER, OR OTHER
38 PERSON ALLEGED TO HAVE COMMITTED THE VIOLATION IF THE ATTORNEY
39 GENERAL OR DISTRICT ATTORNEY DETERMINES THAT THE OPPORTUNITY TO
40 CURE IS WARRANTED. IF THE DEVELOPER, DEPLOYER, OR OTHER PERSON
41 FAILS TO CURE THE VIOLATION WITHIN SIXTY DAYS AFTER RECEIPT OF THE
42 NOTICE OF VIOLATION, THE ATTORNEY GENERAL OR DISTRICT ATTORNEY
43 MAY BRING AN ENFORCEMENT ACTION PURSUANT TO THIS PART 16.

1 (3) EXCEPT AS PROVIDED IN SUBSECTION (6) OF THIS SECTION, ON
2 AND AFTER JULY 1, 2026, THE ATTORNEY GENERAL OR DISTRICT
3 ATTORNEY, IN DETERMINING WHETHER TO GRANT A DEVELOPER, A
4 DEPLOYER, OR OTHER PERSON THE OPPORTUNITY TO CURE AN ALLEGED
5 VIOLATION DESCRIBED IN SUBSECTION (2) OF THIS SECTION, MAY
6 CONSIDER:

- 7 (a) THE NUMBER OF VIOLATIONS;
- 8 (b) THE SIZE AND COMPLEXITY OF THE DEVELOPER, DEPLOYER, OR
9 OTHER PERSON;
- 10 (c) THE NATURE AND EXTENT OF THE DEVELOPER'S, DEPLOYER'S,
11 OR OTHER PERSON'S BUSINESS;
- 12 (d) THE SUBSTANTIAL LIKELIHOOD OF INJURY TO THE PUBLIC
13 ARISING FROM THE VIOLATION;
- 14 (e) THE SAFETY OF PERSONS OR PROPERTY; AND
- 15 (f) WHETHER THE ALLEGED VIOLATION WAS LIKELY CAUSED BY
16 HUMAN OR TECHNICAL ERROR.

17 (4) SECTIONS 6-1-1601 TO 6-1-1607 DO NOT PROVIDE THE BASIS
18 FOR, AND ARE NOT SUBJECT TO, A PRIVATE RIGHT OF ACTION FOR
19 VIOLATIONS OF SECTIONS 6-1-1601 TO 6-1-1607 OR ANY OTHER LAW.

20 (5) EXCEPT AS PROVIDED IN SUBSECTION (6) OF THIS SECTION, A
21 VIOLATION OF THE REQUIREMENTS ESTABLISHED IN SECTIONS 6-1-1601 TO
22 6-1-1607 CONSTITUTES AN UNFAIR TRADE PRACTICE PURSUANT TO
23 SECTION 6-1-105 (1)(eeee).

24 (6) IN ANY ACTION COMMENCED BY THE ATTORNEY GENERAL OR
25 DISTRICT ATTORNEY TO ENFORCE SECTIONS 6-1-1601 TO 6-1-1607, IT IS AN
26 AFFIRMATIVE DEFENSE THAT THE DEVELOPER, DEPLOYER, OR OTHER
27 PERSON:

28 (a) DISCOVERS A VIOLATION OF SECTIONS 6-1-1601 TO 6-1-1607
29 AS A RESULT OF:

- 30 (I) FEEDBACK THAT THE DEVELOPER, DEPLOYER, OR OTHER
31 PERSON ENCOURAGES DEPLOYERS OR USERS TO PROVIDE TO THE
32 DEVELOPER, DEPLOYER, OR OTHER PERSON;
- 33 (II) ADVERSARIAL TESTING OR RED TEAMING, AS THOSE TERMS
34 ARE DEFINED OR USED BY THE NATIONAL INSTITUTE OF STANDARDS AND
35 TECHNOLOGY; OR
- 36 (III) AN INTERNAL REVIEW PROCESS;

37 (b) NO LATER THAN SIXTY DAYS AFTER DISCOVERING A VIOLATION
38 AS SET FORTH IN SUBSECTION (6)(a) OF THIS SECTION, CURES THE
39 VIOLATION AND PROVIDES TO THE ATTORNEY GENERAL OR DISTRICT
40 ATTORNEY, IN A FORM AND MANNER PRESCRIBED BY THE ATTORNEY
41 GENERAL, NOTICE THAT THE VIOLATION HAS BEEN CURED AND EVIDENCE
42 THAT ANY HARM CAUSED BY THE VIOLATION HAS BEEN MITIGATED; AND

43 (c) IS OTHERWISE IN COMPLIANCE WITH:

1 (I) THE LATEST VERSION OF THE "ARTIFICIAL INTELLIGENCE RISK
2 MANAGEMENT FRAMEWORK" PUBLISHED BY THE NATIONAL INSTITUTE OF
3 STANDARDS AND TECHNOLOGY IN THE UNITED STATES DEPARTMENT OF
4 COMMERCE AND STANDARD ISO/IEC 42001 OF THE INTERNATIONAL
5 ORGANIZATION FOR STANDARDIZATION;

6 (II) ANOTHER NATIONALLY OR INTERNATIONALLY RECOGNIZED
7 RISK MANAGEMENT FRAMEWORK FOR ARTIFICIAL INTELLIGENCE SYSTEMS;
8 OR

9 (III) ANY RISK MANAGEMENT FRAMEWORK FOR ARTIFICIAL
10 INTELLIGENCE SYSTEMS THAT THE ATTORNEY GENERAL, IN THE ATTORNEY
11 GENERAL'S DISCRETION, MAY DESIGNATE AND, IF DESIGNATED, SHALL
12 PUBLICLY DISSEMINATE.

13 (7) A DEVELOPER, A DEPLOYER, OR OTHER PERSON BEARS THE
14 BURDEN OF DEMONSTRATING TO THE ATTORNEY GENERAL OR DISTRICT
15 ATTORNEY THAT THE REQUIREMENTS ESTABLISHED IN SUBSECTION (6) OF
16 THIS SECTION HAVE BEEN SATISFIED.

17 **6-1-1609. Rules.** THE ATTORNEY GENERAL MAY PROMULGATE
18 RULES AS NECESSARY FOR THE PURPOSE OF IMPLEMENTING AND
19 ENFORCING THIS PART 16.

20 **SECTION 2.** In Colorado Revised Statutes, 6-1-105, **add**
21 (1)(eeee) as follows:

22 **6-1-105. Unfair or deceptive trade practices.** (1) A person
23 engages in a deceptive trade practice when, in the course of the person's
24 business, vocation, or occupation, the person:

25 (eeee) VIOLATES PART 16 OF THIS ARTICLE 1.

26 **SECTION 3. Safety clause.** The general assembly finds,
27 determines, and declares that this act is necessary for the immediate
28 preservation of the public peace, health, or safety or for appropriations for
29 the support and maintenance of the departments of the state and state
30 institutions."

** ** ** ** **