

Second Regular Session
Seventy-fourth General Assembly
STATE OF COLORADO

ENGROSSED

*This Version Includes All Amendments Adopted
on Second Reading in the House of Introduction*

LLS NO. 24-0922.03 Josh Schultz x5486

SENATE BILL 24-205

SENATE SPONSORSHIP

Rodriguez,

HOUSE SPONSORSHIP

(None),

Senate Committees
Judiciary

House Committees

A BILL FOR AN ACT

101 **CONCERNING CONSUMER PROTECTIONS IN INTERACTIONS WITH**
102 **ARTIFICIAL INTELLIGENCE SYSTEMS.**

Bill Summary

(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://leg.colorado.gov>.)

The bill requires a developer of a high-risk artificial intelligence system (high-risk system) to use reasonable care to avoid 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 bill, including:

- Making available to a deployer of the high-risk system a

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
Capital letters or bold & italic numbers indicate new material to be added to existing law.
Dashes through the words or numbers indicate deletions from existing law.

SENATE
Amended 2nd Reading
May 2, 2024

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 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 of the high-risk system any known or reasonably foreseeable risk 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 bill also requires a deployer of a high-risk system to use reasonable care to avoid 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 bill, including:

- Implementing a risk management policy and program for the high-risk system;
- Completing an impact assessment of the high-risk system;
- Notifying a consumer of specified items if the high-risk system makes a consequential decision concerning a consumer;
- Making a publicly available statement summarizing the types of high-risk systems that the deployer currently deploys and 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
- Disclosing to the attorney general the discovery of algorithmic discrimination, within 90 days after the discovery, that the high-risk system has caused or is reasonably likely to have caused.

A developer of a general purpose artificial intelligence model (general purpose model) is required to create and maintain specified documentation for the general purpose model, including:

- A policy to comply with federal and state copyright laws; and

- A detailed summary concerning the content used to train the general purpose model.

A developer of a general purpose model must create, implement, maintain, and make available to deployers who intend to integrate the general purpose model into the deployers' artificial intelligence systems documentation and information that:

- Enables the deployers to understand the capabilities and limitations of the general purpose model;
- Discloses the technical requirements for the general purpose model to be integrated into the deployers' artificial intelligence systems;
- Discloses the design specifications of, and training processes for, the general purpose model, including the training methodologies and techniques for the general purpose model;
- Discloses the key design choices for the general purpose model, including the rationale and assumptions made;
- Discloses what the general purpose model is designed to optimize for and the relevance of the different parameters, as applicable; and
- Provides a description of the data that was used for purposes of training, testing, and validation, as applicable.

If an artificial intelligence system, including a general purpose model, generates or manipulates synthetic digital content, the bill requires the developer to:

- Ensure that the outputs of the artificial intelligence system are marked in a machine-readable format and detectable as synthetic digital content; and
- Ensure that the developer's technical solutions are effective, interoperable, robust, and reliable.

If an artificial intelligence system, including a general purpose model, generates or manipulates synthetic digital content, the bill requires the deployer of the artificial intelligence system to disclose to a consumer that the synthetic digital content has been artificially generated or manipulated.

The attorney general and district attorneys have exclusive authority to enforce the bill. During the period from July 1, 2025, through June 30, 2026, the attorney general or a district attorney, prior to initiating any action for a violation of the provisions of the bill, shall issue a notice of violation to the alleged violator and, if the attorney general or district attorney determines that a cure is possible, provide the alleged violator 60 days to cure the violation before bringing an enforcement action.

The bill provides an affirmative defense for a developer or deployer if:

- The developer or deployer of the high-risk system or

- generative system involved in a potential violation has implemented and maintained a program that is in compliance with a nationally or internationally recognized risk management framework for artificial intelligence systems that the bill or the attorney general designates; and
- The developer or deployer takes specified measures to discover and correct violations of the bill.

1 *Be it enacted by the General Assembly of the State of Colorado:*

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

4 **PART 16**

5 **ARTIFICIAL INTELLIGENCE**

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

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

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

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

21 (A) THE DEVELOPER'S OR DEPLOYER'S SELF-TESTING TO IDENTIFY,
22 MITIGATE, OR PREVENT DISCRIMINATION OR OTHERWISE ENSURE

1 COMPLIANCE WITH STATE AND FEDERAL LAW; OR

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

4 (II) AN ACT OR OMISSION BY OR ON BEHALF OF A PRIVATE CLUB OR
5 OTHER ESTABLISHMENT THAT IS NOT IN FACT OPEN TO THE PUBLIC, AS SET
6 FORTH IN TITLE II OF THE FEDERAL "CIVIL RIGHTS ACT OF 1964", 42
7 U.S.C. SEC. 2000a (e), AS AMENDED.

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

14 (3) "CONSEQUENTIAL DECISION" MEANS A DECISION THAT HAS A
15 MATERIAL LEGAL OR SIMILARLY SIGNIFICANT EFFECT ON THE PROVISION
16 OR DENIAL TO ANY CONSUMER OF, OR THE COST OR TERMS OF:

17 (a) EDUCATION ENROLLMENT OR AN EDUCATION OPPORTUNITY;

18 (b) EMPLOYMENT OR AN EMPLOYMENT OPPORTUNITY;

19 (c) A FINANCIAL OR LENDING SERVICE;

20 (d) AN ESSENTIAL GOVERNMENT SERVICE;

21 (e) HEALTH-CARE SERVICES;

22 (f) HOUSING;

23 (g) INSURANCE; OR

24 (h) A LEGAL SERVICE.

25 (4) "CONSUMER" MEANS AN INDIVIDUAL WHO IS A COLORADO
26 RESIDENT.

27 (5) "DEPLOY" MEANS TO USE A HIGH-RISK ARTIFICIAL

1 INTELLIGENCE SYSTEM.

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

4 (7) "DEVELOPER" MEANS A PERSON DOING BUSINESS IN THIS STATE
5 THAT DEVELOPS OR INTENTIONALLY AND SUBSTANTIALLY MODIFIES AN
6 ARTIFICIAL INTELLIGENCE SYSTEM.

7 (8) "HEALTH-CARE SERVICES" HAS THE SAME MEANING AS
8 PROVIDED IN 42 U.S.C. SEC. 234 (d)(2).

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

12 (b) "HIGH-RISK ARTIFICIAL INTELLIGENCE SYSTEM" DOES NOT
13 INCLUDE:

14 (I) AN ARTIFICIAL INTELLIGENCE SYSTEM IF THE ARTIFICIAL
15 INTELLIGENCE SYSTEM IS INTENDED TO:

16 (A) PERFORM A NARROW PROCEDURAL TASK; OR

17 (B) DETECT DECISION-MAKING PATTERNS OR DEVIATIONS FROM
18 PRIOR DECISION-MAKING PATTERNS AND IS NOT INTENDED TO REPLACE OR
19 INFLUENCE A PREVIOUSLY COMPLETED HUMAN ASSESSMENT WITHOUT
20 SUFFICIENT HUMAN REVIEW; OR

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

24 (A) ANTI-FRAUD TECHNOLOGY THAT DOES NOT USE FACIAL
25 RECOGNITION TECHNOLOGY;

26 (B) ANTI-MALWARE;

27 (C) ANTI-VIRUS;

- 1 (D) ARTIFICIAL INTELLIGENCE-ENABLED VIDEO GAMES;
- 2 (E) CALCULATORS;
- 3 (F) CYBERSECURITY;
- 4 (G) DATABASES;
- 5 (H) DATA STORAGE;
- 6 (I) FIREWALL;
- 7 (J) INTERNET DOMAIN REGISTRATION;
- 8 (K) INTERNET WEBSITE LOADING;
- 9 (L) NETWORKING;
- 10 (M) SPAM- AND ROBOCALL-FILTERING;
- 11 (N) SPELL-CHECKING;
- 12 (O) SPREADSHEETS;
- 13 (P) WEB CACHING;
- 14 (Q) WEB HOSTING OR ANY SIMILAR TECHNOLOGY; OR
- 15 (R) TECHNOLOGY THAT COMMUNICATES IN NATURAL LANGUAGE
- 16 FOR THE PURPOSE OF PROVIDING USERS WITH INFORMATION, MAKING
- 17 REFERRALS OR RECOMMENDATIONS, AND ANSWERING QUESTIONS AND IS
- 18 SUBJECT TO AN ACCEPTED USE POLICY THAT PROHIBITS GENERATING
- 19 CONTENT THAT IS DISCRIMINATORY OR HARMFUL.

20 (10) (a) "INTENTIONAL AND SUBSTANTIAL MODIFICATION" OR
21 "INTENTIONALLY AND SUBSTANTIALLY MODIFIES" MEANS A DELIBERATE
22 CHANGE MADE TO AN ARTIFICIAL INTELLIGENCE SYSTEM THAT RESULTS IN
23 ANY NEW REASONABLY FORESEEABLE RISK OF ALGORITHMIC
24 DISCRIMINATION.

25 (b) "INTENTIONAL AND SUBSTANTIAL MODIFICATION" OR
26 "INTENTIONALLY AND SUBSTANTIALLY MODIFIES" DOES NOT INCLUDE A
27 CHANGE MADE TO A HIGH-RISK ARTIFICIAL INTELLIGENCE SYSTEM, OR THE

1 PERFORMANCE OF A HIGH-RISK ARTIFICIAL INTELLIGENCE SYSTEM, IF:

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

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

6 (B) DEPLOYED;

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

10 (III) THE CHANGE WAS PREDETERMINED BY THE DEPLOYER, OR A
11 THIRD PARTY CONTRACTED BY THE DEPLOYER, WHEN THE DEPLOYER OR
12 THIRD PARTY COMPLETED AN INITIAL IMPACT ASSESSMENT OF SUCH
13 HIGH-RISK ARTIFICIAL INTELLIGENCE SYSTEM PURSUANT TO SECTION
14 6-1-1603 (3); AND

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

17 (11) (a) "SUBSTANTIAL FACTOR" MEANS A FACTOR THAT:

18 (I) ASSISTS IN MAKING A CONSEQUENTIAL DECISION;

19 (II) IS CAPABLE OF ALTERING THE OUTCOME OF A CONSEQUENTIAL
20 DECISION; AND

21 (III) IS GENERATED BY AN ARTIFICIAL INTELLIGENCE SYSTEM.

22 (b) "SUBSTANTIAL FACTOR" INCLUDES ANY USE OF AN ARTIFICIAL
23 INTELLIGENCE SYSTEM TO GENERATE ANY CONTENT, DECISION,
24 PREDICTION, OR RECOMMENDATION CONCERNING A CONSUMER THAT IS
25 USED AS A BASIS TO MAKE A CONSEQUENTIAL DECISION CONCERNING THE
26 CONSUMER.

27 (12) "TRADE SECRET" HAS THE MEANING SET FORTH IN SECTION

1 7-74-102 (4).

2 **6-1-1602. Developer duty to avoid algorithmic discrimination**
3 **- required documentation. (1) ON AND AFTER FEBRUARY 1, 2026, A**
4 **DEVELOPER OF A HIGH-RISK ARTIFICIAL INTELLIGENCE SYSTEM SHALL USE**
5 **REASONABLE CARE TO PROTECT CONSUMERS FROM ANY KNOWN OR**
6 **REASONABLY FORESEEABLE RISKS OF ALGORITHMIC DISCRIMINATION**
7 **ARISING FROM THE INTENDED AND CONTRACTED USES OF THE HIGH-RISK**
8 **ARTIFICIAL INTELLIGENCE SYSTEM. IN ANY ENFORCEMENT ACTION**
9 **BROUGHT ON OR AFTER FEBRUARY 1, 2026, BY THE ATTORNEY GENERAL**
10 **PURSUANT TO SECTION 6-1-1606, THERE IS A REBUTTABLE PRESUMPTION**
11 **THAT A DEVELOPER USED REASONABLE CARE AS REQUIRED UNDER THIS**
12 **SECTION IF THE DEVELOPER COMPLIED WITH THIS SECTION AND ANY**
13 **ADDITIONAL REQUIREMENTS OR OBLIGATIONS AS SET FORTH IN RULES**
14 **PROMULGATED BY THE ATTORNEY GENERAL PURSUANT TO SECTION**
15 **6-1-1607.**

16 (2) ON AND AFTER FEBRUARY 1, 2026, AND EXCEPT AS PROVIDED
17 IN SUBSECTION (6) OF THIS SECTION, A DEVELOPER OF A HIGH-RISK
18 ARTIFICIAL INTELLIGENCE SYSTEM SHALL MAKE AVAILABLE TO THE
19 DEPLOYER OR OTHER DEVELOPER OF THE HIGH-RISK ARTIFICIAL
20 INTELLIGENCE SYSTEM:

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

23 (b) DOCUMENTATION DISCLOSING:

24 (I) HIGH-LEVEL SUMMARIES OF THE TYPE OF DATA USED TO TRAIN
25 THE HIGH-RISK ARTIFICIAL INTELLIGENCE SYSTEM;

26 (II) KNOWN OR REASONABLY FORESEEABLE LIMITATIONS OF THE
27 HIGH-RISK ARTIFICIAL INTELLIGENCE SYSTEM, INCLUDING KNOWN OR

1 REASONABLY FORESEEABLE RISKS OF ALGORITHMIC DISCRIMINATION
2 ARISING FROM THE INTENDED USES OF THE HIGH-RISK ARTIFICIAL
3 INTELLIGENCE SYSTEM;

4 (III) THE PURPOSE OF THE HIGH-RISK ARTIFICIAL INTELLIGENCE
5 SYSTEM; AND

6 (IV) THE INTENDED BENEFITS AND USES OF THE HIGH-RISK
7 ARTIFICIAL INTELLIGENCE SYSTEM;

8 (c) DOCUMENTATION DESCRIBING:

9 (I) HOW THE HIGH-RISK ARTIFICIAL INTELLIGENCE SYSTEM WAS
10 EVALUATED FOR PERFORMANCE AND MITIGATION OF ALGORITHMIC
11 DISCRIMINATION BEFORE THE HIGH-RISK ARTIFICIAL INTELLIGENCE
12 SYSTEM WAS OFFERED, SOLD, LEASED, LICENSED, GIVEN, OR OTHERWISE
13 MADE AVAILABLE TO THE DEPLOYER;

14 (II) THE DATA GOVERNANCE MEASURES USED TO COVER THE
15 TRAINING DATASETS AND THE MEASURES USED TO EXAMINE THE
16 SUITABILITY OF DATA SOURCES, POSSIBLE BIASES, AND APPROPRIATE
17 MITIGATION;

18 (III) THE INTENDED OUTPUTS OF THE HIGH-RISK ARTIFICIAL
19 INTELLIGENCE SYSTEM;

20 (IV) THE MEASURES THE DEVELOPER HAS TAKEN TO MITIGATE
21 KNOWN OR REASONABLY FORESEEABLE RISKS OF ALGORITHMIC
22 DISCRIMINATION THAT MAY ARISE FROM THE DEPLOYMENT OF THE
23 HIGH-RISK ARTIFICIAL INTELLIGENCE SYSTEM; AND

24 (V) HOW THE HIGH-RISK ARTIFICIAL INTELLIGENCE SYSTEM
25 SHOULD BE USED OR MONITORED BY AN INDIVIDUAL WHEN THE HIGH-RISK
26 ARTIFICIAL INTELLIGENCE SYSTEM IS USED TO MAKE, OR IS A SUBSTANTIAL
27 FACTOR IN MAKING, A CONSEQUENTIAL DECISION; AND

1 (d) ANY ADDITIONAL DOCUMENTATION THAT IS REASONABLY
2 NECESSARY TO ASSIST THE DEPLOYER IN UNDERSTANDING THE OUTPUTS
3 AND MONITOR THE PERFORMANCE OF THE HIGH-RISK ARTIFICIAL
4 INTELLIGENCE SYSTEM FOR RISKS OF ALGORITHMIC DISCRIMINATION.

5 (3) (a) EXCEPT AS PROVIDED IN SUBSECTION (6) OF THIS SECTION,
6 A DEVELOPER THAT OFFERS, SELLS, LEASES, LICENSES, GIVES, OR
7 OTHERWISE MAKES AVAILABLE TO A DEPLOYER OR OTHER DEVELOPER A
8 HIGH-RISK ARTIFICIAL INTELLIGENCE SYSTEM ON OR AFTER FEBRUARY 1,
9 2026, SHALL MAKE AVAILABLE TO THE DEPLOYER OR OTHER DEVELOPER,
10 TO THE EXTENT FEASIBLE, THE DOCUMENTATION AND INFORMATION,
11 THROUGH ARTIFACTS SUCH AS MODEL CARDS, DATASET CARDS, OR OTHER
12 IMPACT ASSESSMENTS, NECESSARY FOR A DEPLOYER, OR FOR A THIRD
13 PARTY CONTRACTED BY A DEPLOYER, TO COMPLETE AN IMPACT
14 ASSESSMENT PURSUANT TO SECTION 6-1-1603 (3).

15 (b) A DEVELOPER THAT ALSO SERVES AS A DEPLOYER FOR A
16 HIGH-RISK ARTIFICIAL INTELLIGENCE SYSTEM IS NOT REQUIRED TO
17 GENERATE THE DOCUMENTATION REQUIRED BY THIS SECTION UNLESS THE
18 HIGH-RISK ARTIFICIAL INTELLIGENCE SYSTEM IS PROVIDED TO AN
19 UNAFFILIATED ENTITY ACTING AS A DEPLOYER.

20 (4) (a) ON AND AFTER FEBRUARY 1, 2026, A DEVELOPER SHALL
21 MAKE AVAILABLE, IN A MANNER THAT IS CLEAR AND READILY AVAILABLE
22 ON THE DEVELOPER'S WEBSITE OR IN A PUBLIC USE CASE INVENTORY, A
23 STATEMENT SUMMARIZING:

24 (I) THE TYPES OF HIGH-RISK ARTIFICIAL INTELLIGENCE SYSTEMS
25 THAT THE DEVELOPER HAS DEVELOPED OR INTENTIONALLY AND
26 SUBSTANTIALLY MODIFIED AND CURRENTLY MAKES AVAILABLE TO A
27 DEPLOYER OR OTHER DEVELOPER; AND

1 (II) HOW THE DEVELOPER MANAGES KNOWN OR REASONABLY
2 FORESEEABLE RISKS OF ALGORITHMIC DISCRIMINATION THAT MAY ARISE
3 FROM THE DEVELOPMENT OR INTENTIONAL AND SUBSTANTIAL
4 MODIFICATION OF THE TYPES OF HIGH-RISK ARTIFICIAL INTELLIGENCE
5 SYSTEMS DESCRIBED IN ACCORDANCE WITH SUBSECTION (4)(a)(I) OF THIS
6 SECTION.

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

9 (I) AS NECESSARY TO ENSURE THAT THE STATEMENT REMAINS
10 ACCURATE; AND

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

15 (5) ON AND AFTER FEBRUARY 1, 2026, A DEVELOPER OF A
16 HIGH-RISK ARTIFICIAL INTELLIGENCE SYSTEM SHALL DISCLOSE TO THE
17 ATTORNEY GENERAL, IN A FORM AND MANNER PRESCRIBED BY THE
18 ATTORNEY GENERAL, AND TO ALL KNOWN DEPLOYERS OR OTHER
19 DEVELOPERS, OF THE HIGH-RISK ARTIFICIAL INTELLIGENCE SYSTEM ANY
20 KNOWN OR REASONABLY FORESEEABLE RISKS OF ALGORITHMIC
21 DISCRIMINATION ARISING FROM THE INTENDED USES OF THE HIGH-RISK
22 ARTIFICIAL INTELLIGENCE SYSTEM WITHOUT UNREASONABLE DELAY BUT
23 NO LATER THAN NINETY DAYS AFTER THE DATE ON WHICH:

24 (a) THE DEVELOPER DISCOVERS THROUGH THE DEVELOPER'S
25 ONGOING TESTING AND ANALYSIS THAT THE DEVELOPER'S HIGH-RISK
26 ARTIFICIAL INTELLIGENCE SYSTEM HAS BEEN DEPLOYED AND HAS CAUSED
27 OR IS REASONABLY LIKELY TO HAVE CAUSED ALGORITHMIC

1 DISCRIMINATION; OR

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

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

8 (7) ON AND AFTER FEBRUARY 1, 2026, THE ATTORNEY GENERAL
9 MAY REQUIRE THAT A DEVELOPER DISCLOSE TO THE ATTORNEY GENERAL,
10 IN A FORM AND MANNER PRESCRIBED BY THE ATTORNEY GENERAL, THE
11 STATEMENT OR DOCUMENTATION DESCRIBED IN SUBSECTION (2) OF THIS
12 SECTION. THE ATTORNEY GENERAL MAY EVALUATE SUCH STATEMENT OR
13 DOCUMENTATION TO ENSURE COMPLIANCE WITH THIS PART 16, AND THE
14 STATEMENT OR DOCUMENTATION IS NOT SUBJECT TO DISCLOSURE UNDER
15 THE "COLORADO OPEN RECORDS ACT", PART 2 OF ARTICLE 72 OF TITLE
16 24. IN A DISCLOSURE PURSUANT TO THIS SUBSECTION (7), A DEVELOPER
17 MAY DESIGNATE THE STATEMENT OR DOCUMENTATION AS INCLUDING
18 PROPRIETARY INFORMATION OR A TRADE SECRET. TO THE EXTENT THAT
19 ANY INFORMATION CONTAINED IN THE STATEMENT OR DOCUMENTATION
20 INCLUDES INFORMATION SUBJECT TO ATTORNEY-CLIENT PRIVILEGE OR
21 WORK-PRODUCT PROTECTION, THE DISCLOSURE DOES NOT CONSTITUTE A
22 WAIVER OF THE PRIVILEGE OR PROTECTION.

23 **6-1-1603. Deployer duty to avoid algorithmic discrimination**
24 **- risk management policy and program. (1) ON AND AFTER FEBRUARY**
25 **1, 2026, A DEPLOYER OF A HIGH-RISK ARTIFICIAL INTELLIGENCE SYSTEM**
26 **SHALL USE REASONABLE CARE TO PROTECT CONSUMERS FROM ANY KNOWN**
27 **OR REASONABLY FORESEEABLE RISKS OF ALGORITHMIC DISCRIMINATION.**

1 IN ANY ENFORCEMENT ACTION BROUGHT ON OR AFTER FEBRUARY 1, 2026,
2 BY THE ATTORNEY GENERAL PURSUANT TO SECTION 6-1-1606, THERE IS A
3 REBUTTABLE PRESUMPTION THAT A DEPLOYER OF A HIGH-RISK ARTIFICIAL
4 INTELLIGENCE SYSTEM USED REASONABLE CARE AS REQUIRED UNDER THIS
5 SECTION IF THE DEPLOYER COMPLIED WITH THIS SECTION AND ANY
6 ADDITIONAL REQUIREMENTS OR OBLIGATIONS AS SET FORTH IN RULES
7 PROMULGATED BY THE ATTORNEY GENERAL PURSUANT TO SECTION
8 6-1-1607.

9 (2) (a) ON AND AFTER FEBRUARY 1, 2026, AND EXCEPT AS
10 PROVIDED IN SUBSECTION (8) OF THIS SECTION, A DEPLOYER OF A
11 HIGH-RISK ARTIFICIAL INTELLIGENCE SYSTEM SHALL IMPLEMENT A RISK
12 MANAGEMENT POLICY AND PROGRAM TO GOVERN THE DEPLOYER'S
13 DEPLOYMENT OF THE HIGH-RISK ARTIFICIAL INTELLIGENCE SYSTEM. THE
14 RISK MANAGEMENT POLICY AND PROGRAM MUST SPECIFY AND
15 INCORPORATE THE PRINCIPLES, PROCESSES, AND PERSONNEL THAT THE
16 DEPLOYER USES TO IDENTIFY, DOCUMENT, AND MITIGATE KNOWN OR
17 REASONABLY FORESEEABLE RISKS OF ALGORITHMIC DISCRIMINATION. THE
18 RISK MANAGEMENT POLICY AND PROGRAM MUST BE AN ITERATIVE
19 PROCESS PLANNED, IMPLEMENTED, AND REGULARLY AND
20 SYSTEMATICALLY REVIEWED AND UPDATED OVER THE LIFE CYCLE OF A
21 HIGH-RISK ARTIFICIAL INTELLIGENCE SYSTEM, REQUIRING REGULAR,
22 SYSTEMATIC REVIEW AND UPDATES. A RISK MANAGEMENT POLICY AND
23 PROGRAM IMPLEMENTED AND MAINTAINED PURSUANT TO THIS
24 SUBSECTION (2) MUST BE REASONABLE CONSIDERING:

25 (I) (A) THE GUIDANCE AND STANDARDS SET FORTH IN THE LATEST
26 VERSION OF THE "ARTIFICIAL INTELLIGENCE RISK MANAGEMENT
27 FRAMEWORK" PUBLISHED BY THE NATIONAL INSTITUTE OF STANDARDS

1 AND TECHNOLOGY IN THE UNITED STATES DEPARTMENT OF COMMERCE,
2 STANDARD ISO/IEC 42001 OF THE INTERNATIONAL ORGANIZATION FOR
3 STANDARDIZATION, OR ANOTHER NATIONALLY OR INTERNATIONALLY
4 RECOGNIZED RISK MANAGEMENT FRAMEWORK FOR ARTIFICIAL
5 INTELLIGENCE SYSTEMS; OR

6 (B) ANY RISK MANAGEMENT FRAMEWORK FOR ARTIFICIAL
7 INTELLIGENCE SYSTEMS THAT THE ATTORNEY GENERAL, IN THE ATTORNEY
8 GENERAL'S DISCRETION, MAY DESIGNATE;

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

10 (III) THE NATURE AND SCOPE OF THE HIGH-RISK ARTIFICIAL
11 INTELLIGENCE SYSTEMS DEPLOYED BY THE DEPLOYER, INCLUDING THE
12 INTENDED USES OF THE HIGH-RISK ARTIFICIAL INTELLIGENCE SYSTEMS;

13 AND

14 (IV) THE SENSITIVITY AND VOLUME OF DATA PROCESSED IN
15 CONNECTION WITH THE HIGH-RISK ARTIFICIAL INTELLIGENCE SYSTEMS
16 DEPLOYED BY THE DEPLOYER.

17 (b) A RISK MANAGEMENT POLICY AND PROGRAM IMPLEMENTED
18 PURSUANT TO SUBSECTION (2)(a) OF THIS SECTION MAY COVER MULTIPLE
19 HIGH-RISK ARTIFICIAL INTELLIGENCE SYSTEMS DEPLOYED BY THE
20 DEPLOYER.

21 (3) (a) EXCEPT AS PROVIDED IN SUBSECTIONS (3)(d), (3)(e), AND
22 (6) OF THIS SECTION:

23 (I) A DEPLOYER, OR A THIRD PARTY CONTRACTED BY THE
24 DEPLOYER, THAT DEPLOYS A HIGH-RISK ARTIFICIAL INTELLIGENCE SYSTEM
25 ON OR AFTER FEBRUARY 1, 2026, SHALL COMPLETE AN IMPACT
26 ASSESSMENT FOR THE HIGH-RISK ARTIFICIAL INTELLIGENCE SYSTEM; AND

27 (II) ON AND AFTER FEBRUARY 1, 2026, A DEPLOYER, OR A THIRD

1 PARTY CONTRACTED BY THE DEPLOYER, SHALL COMPLETE AN IMPACT
2 ASSESSMENT FOR A DEPLOYED HIGH-RISK ARTIFICIAL INTELLIGENCE
3 SYSTEM AT LEAST ANNUALLY AND WITHIN NINETY DAYS AFTER ANY
4 INTENTIONAL AND SUBSTANTIAL MODIFICATION TO THE HIGH-RISK
5 ARTIFICIAL INTELLIGENCE SYSTEM IS MADE AVAILABLE.

6 (b) AN IMPACT ASSESSMENT COMPLETED PURSUANT TO THIS
7 SUBSECTION (3) MUST INCLUDE, AT A MINIMUM, AND TO THE EXTENT
8 REASONABLY KNOWN BY OR AVAILABLE TO THE DEPLOYER:

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

12 (II) AN ANALYSIS OF WHETHER THE DEPLOYMENT OF THE
13 HIGH-RISK ARTIFICIAL INTELLIGENCE SYSTEM POSES ANY KNOWN OR
14 REASONABLY FORESEEABLE RISKS OF ALGORITHMIC DISCRIMINATION AND,
15 IF SO, THE NATURE OF THE ALGORITHMIC DISCRIMINATION AND THE STEPS
16 THAT HAVE BEEN TAKEN TO MITIGATE THE RISKS;

17 (III) A DESCRIPTION OF THE CATEGORIES OF DATA THE HIGH-RISK
18 ARTIFICIAL INTELLIGENCE SYSTEM PROCESSES AS INPUTS AND THE
19 OUTPUTS THE HIGH-RISK ARTIFICIAL INTELLIGENCE SYSTEM PRODUCES;

20 (IV) IF THE DEPLOYER USED DATA TO CUSTOMIZE THE HIGH-RISK
21 ARTIFICIAL INTELLIGENCE SYSTEM, AN OVERVIEW OF THE CATEGORIES OF
22 DATA THE DEPLOYER USED TO CUSTOMIZE THE HIGH-RISK ARTIFICIAL
23 INTELLIGENCE SYSTEM;

24 (V) ANY METRICS USED TO EVALUATE THE PERFORMANCE AND
25 KNOWN LIMITATIONS OF THE HIGH-RISK ARTIFICIAL INTELLIGENCE
26 SYSTEM;

27 (VI) A DESCRIPTION OF ANY TRANSPARENCY MEASURES TAKEN

1 CONCERNING THE HIGH-RISK ARTIFICIAL INTELLIGENCE SYSTEM,
2 INCLUDING ANY MEASURES TAKEN TO DISCLOSE TO A CONSUMER THAT THE
3 HIGH-RISK ARTIFICIAL INTELLIGENCE SYSTEM IS IN USE WHEN THE
4 HIGH-RISK ARTIFICIAL INTELLIGENCE SYSTEM IS IN USE; AND

5 (VII) A DESCRIPTION OF THE POST-DEPLOYMENT MONITORING AND
6 USER SAFEGUARDS PROVIDED CONCERNING THE HIGH-RISK ARTIFICIAL
7 INTELLIGENCE SYSTEM, INCLUDING THE OVERSIGHT, USE, AND LEARNING
8 PROCESS ESTABLISHED BY THE DEPLOYER TO ADDRESS ISSUES ARISING
9 FROM THE DEPLOYMENT OF THE HIGH-RISK ARTIFICIAL INTELLIGENCE
10 SYSTEM.

11 (c) IN ADDITION TO THE INFORMATION REQUIRED UNDER
12 SUBSECTION (3)(b) OF THIS SECTION, AN IMPACT ASSESSMENT COMPLETED
13 PURSUANT TO THIS SUBSECTION (3) FOLLOWING AN INTENTIONAL AND
14 SUBSTANTIAL MODIFICATION TO A HIGH-RISK ARTIFICIAL INTELLIGENCE
15 SYSTEM ON OR AFTER FEBRUARY 1, 2026, MUST INCLUDE A STATEMENT
16 DISCLOSING THE EXTENT TO WHICH THE HIGH-RISK ARTIFICIAL
17 INTELLIGENCE SYSTEM WAS USED IN A MANNER THAT WAS CONSISTENT
18 WITH, OR VARIED FROM, THE DEVELOPER'S INTENDED USES OF THE
19 HIGH-RISK ARTIFICIAL INTELLIGENCE SYSTEM.

20 (d) A SINGLE IMPACT ASSESSMENT MAY ADDRESS A COMPARABLE
21 SET OF HIGH-RISK ARTIFICIAL INTELLIGENCE SYSTEMS DEPLOYED BY A
22 DEPLOYER.

23 (e) IF A DEPLOYER, OR A THIRD PARTY CONTRACTED BY THE
24 DEPLOYER, COMPLETES AN IMPACT ASSESSMENT FOR THE PURPOSE OF
25 COMPLYING WITH ANOTHER APPLICABLE LAW OR REGULATION, THE
26 IMPACT ASSESSMENT SATISFIES THE REQUIREMENTS ESTABLISHED IN THIS
27 SUBSECTION (3) IF THE IMPACT ASSESSMENT IS REASONABLY SIMILAR IN

1 SCOPE AND EFFECT TO THE IMPACT ASSESSMENT THAT WOULD OTHERWISE
2 BE COMPLETED PURSUANT TO THIS SUBSECTION (3).

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

9 (g) ON OR BEFORE FEBRUARY 1, 2026, AND AT LEAST ANNUALLY
10 THEREAFTER, A DEPLOYER, OR A THIRD PARTY CONTRACTED BY THE
11 DEPLOYER, MUST REVIEW THE DEPLOYMENT OF EACH HIGH-RISK
12 ARTIFICIAL INTELLIGENCE SYSTEM DEPLOYED BY THE DEPLOYER TO
13 ENSURE THAT THE HIGH-RISK ARTIFICIAL INTELLIGENCE SYSTEM IS NOT
14 CAUSING ALGORITHMIC DISCRIMINATION.

15 (4) (a) ON AND AFTER FEBRUARY 1, 2026, AND NO LATER THAN
16 THE TIME THAT A DEPLOYER DEPLOYS A HIGH-RISK ARTIFICIAL
17 INTELLIGENCE SYSTEM TO MAKE, OR BE A SUBSTANTIAL FACTOR IN
18 MAKING, A CONSEQUENTIAL DECISION CONCERNING A CONSUMER, THE
19 DEPLOYER SHALL:

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

24 (II) PROVIDE TO THE CONSUMER A STATEMENT DISCLOSING THE
25 PURPOSE OF THE HIGH-RISK ARTIFICIAL INTELLIGENCE SYSTEM AND THE
26 NATURE OF THE CONSEQUENTIAL DECISION; THE CONTACT INFORMATION
27 FOR THE DEPLOYER; A DESCRIPTION, IN PLAIN LANGUAGE, OF THE

1 HIGH-RISK ARTIFICIAL INTELLIGENCE SYSTEM; AND INSTRUCTIONS ON HOW
2 TO ACCESS THE STATEMENT REQUIRED BY SUBSECTION (5)(a) OF THIS
3 SECTION; AND

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

10 (b) ON AND AFTER FEBRUARY 1, 2026, A DEPLOYER THAT HAS
11 DEPLOYED A HIGH-RISK ARTIFICIAL INTELLIGENCE SYSTEM TO MAKE, OR
12 BE A SUBSTANTIAL FACTOR IN MAKING, A CONSEQUENTIAL DECISION
13 CONCERNING A CONSUMER SHALL, IF THE CONSEQUENTIAL DECISION IS
14 ADVERSE TO THE CONSUMER, PROVIDE TO THE CONSUMER:

15 (I) A STATEMENT DISCLOSING THE PRINCIPAL REASON OR REASONS
16 FOR THE CONSEQUENTIAL DECISION, INCLUDING:

17 (A) THE DEGREE TO WHICH, AND MANNER IN WHICH, THE
18 HIGH-RISK ARTIFICIAL INTELLIGENCE SYSTEM CONTRIBUTED TO THE
19 CONSEQUENTIAL DECISION;

20 (B) THE DATA THAT WAS PROCESSED BY THE HIGH-RISK ARTIFICIAL
21 INTELLIGENCE SYSTEM IN MAKING THE CONSEQUENTIAL DECISION; AND

22 (C) THE SOURCE OR SOURCES OF THE DATA DESCRIBED IN
23 SUBSECTION (4)(b)(I)(B) OF THIS SECTION;

24 (II) AN OPPORTUNITY TO CORRECT ANY INCORRECT PERSONAL
25 DATA THAT THE HIGH-RISK ARTIFICIAL INTELLIGENCE SYSTEM PROCESSED
26 IN MAKING, OR AS A SUBSTANTIAL FACTOR IN MAKING, THE
27 CONSEQUENTIAL DECISION; AND

1 (III) AN OPPORTUNITY TO APPEAL AN ADVERSE CONSEQUENTIAL
2 DECISION CONCERNING THE CONSUMER ARISING FROM THE DEPLOYMENT
3 OF A HIGH-RISK ARTIFICIAL INTELLIGENCE SYSTEM, WHICH APPEAL MUST,
4 IF TECHNICALLY FEASIBLE, ALLOW FOR HUMAN REVIEW UNLESS PROVIDING
5 THE OPPORTUNITY FOR APPEAL IS NOT IN THE BEST INTEREST OF THE
6 CONSUMER, INCLUDING IN INSTANCES IN WHICH ANY DELAY MIGHT POSE
7 A RISK TO THE LIFE OR SAFETY OF SUCH CONSUMER.

8 (c) (I) THE CONSUMER, BASED ON THE INFORMATION IN THE
9 STATEMENT PROVIDED PURSUANT TO SUBSECTION (4)(b)(I) OF THIS
10 SECTION, BEARS THE BURDEN OF DEMONSTRATING THAT THERE WAS A
11 MATERIAL ERROR OR OMISSION WARRANTING HUMAN REVIEW PURSUANT
12 TO SUBSECTION (4)(b)(III) OF THIS SECTION.

13 (II) A DEPLOYER THAT HAS DEPLOYED A HIGH-RISK ARTIFICIAL
14 INTELLIGENCE SYSTEM TO MAKE, OR BE A SUBSTANTIAL FACTOR IN
15 MAKING, A CONSEQUENTIAL DECISION CONCERNING A CONSUMER MAY
16 CONTRACTUALLY AGREE TO HAVE A DEVELOPER PROVIDE THE NOTICES
17 AND DISCLOSURES TO AND CONDUCT THE APPEAL PROCESS REQUIRED BY
18 THIS SUBSECTION (4) FOR CONSUMERS.

19 (d) (I) EXCEPT AS PROVIDED IN SUBSECTION (4)(d)(II) OF THIS
20 SECTION, A DEPLOYER SHALL PROVIDE THE NOTICE, STATEMENT, CONTACT
21 INFORMATION, AND DESCRIPTION REQUIRED BY SUBSECTIONS (4)(a) AND
22 (4)(b) OF THIS SECTION:

23 (A) DIRECTLY TO THE CONSUMER;

24 (B) IN PLAIN LANGUAGE;

25 (C) IN ALL LANGUAGES IN WHICH THE DEPLOYER, IN THE
26 ORDINARY COURSE OF THE DEPLOYER'S BUSINESS, PROVIDES CONTRACTS,
27 DISCLAIMERS, SALE ANNOUNCEMENTS, AND OTHER INFORMATION TO

1 CONSUMERS; AND

2 (D) IN A FORMAT THAT IS ACCESSIBLE TO CONSUMERS WITH
3 DISABILITIES.

4 (II) IF THE DEPLOYER IS UNABLE TO PROVIDE THE NOTICE,
5 STATEMENT, CONTACT INFORMATION, AND DESCRIPTION REQUIRED BY
6 SUBSECTIONS (4)(a) AND (4)(b) OF THIS SECTION DIRECTLY TO THE
7 CONSUMER, THE DEPLOYER SHALL MAKE THE NOTICE, STATEMENT,
8 CONTACT INFORMATION, AND DESCRIPTION AVAILABLE IN A MANNER THAT
9 IS REASONABLY CALCULATED TO ENSURE THAT THE CONSUMER RECEIVES
10 THE NOTICE, STATEMENT, CONTACT INFORMATION, AND DESCRIPTION.

11 (5) (a) ON AND AFTER FEBRUARY 1, 2026, AND EXCEPT AS
12 PROVIDED IN SUBSECTION (6) OF THIS SECTION, A DEPLOYER SHALL MAKE
13 AVAILABLE, IN A MANNER THAT IS CLEAR AND READILY AVAILABLE ON THE
14 DEPLOYER'S WEBSITE, A STATEMENT SUMMARIZING:

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

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

21 AND

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

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

26 (6) SUBSECTIONS (2) AND (3) OF THIS SECTION AND THIS
27 SUBSECTION (6) DO NOT APPLY TO A DEPLOYER IF, AT THE TIME THE

1 DEPLOYER DEPLOYS A HIGH-RISK ARTIFICIAL INTELLIGENCE SYSTEM AND
2 AT ALL TIMES WHILE THE HIGH-RISK ARTIFICIAL INTELLIGENCE SYSTEM IS
3 DEPLOYED:

4 (a) THE DEPLOYER:

5 (I) EMPLOYS FEWER THAN FIFTY FULL-TIME EQUIVALENT
6 EMPLOYEES; AND

7 (II) DOES NOT USE THE DEPLOYER'S OWN DATA TO TRAIN THE
8 HIGH-RISK ARTIFICIAL INTELLIGENCE SYSTEM;

9 (b) THE HIGH-RISK ARTIFICIAL INTELLIGENCE SYSTEM:

10 (I) IS USED FOR THE INTENDED USES THAT ARE DISCLOSED TO THE
11 DEPLOYER AS REQUIRED BY SECTION 6-1-1602 (2)(a); AND

12 (II) CONTINUES LEARNING BASED ON DATA DERIVED FROM
13 SOURCES OTHER THAN THE DEPLOYER'S OWN DATA; AND

14 (c) THE DEPLOYER MAKES AVAILABLE TO CONSUMERS ANY IMPACT
15 ASSESSMENT THAT:

16 (I) THE DEVELOPER OF THE HIGH-RISK ARTIFICIAL INTELLIGENCE
17 SYSTEM HAS COMPLETED AND PROVIDED TO THE DEPLOYER; AND

18 (II) INCLUDES INFORMATION THAT IS SUBSTANTIALLY SIMILAR TO
19 THE INFORMATION IN THE IMPACT ASSESSMENT REQUIRED UNDER
20 SUBSECTION (3)(b) OF THIS SECTION.

21 (7) IF A DEPLOYER DEPLOYS A HIGH-RISK ARTIFICIAL INTELLIGENCE
22 SYSTEM ON OR AFTER FEBRUARY 1, 2026, AND SUBSEQUENTLY DISCOVERS
23 THAT THE HIGH-RISK ARTIFICIAL INTELLIGENCE SYSTEM HAS CAUSED
24 ALGORITHMIC DISCRIMINATION, THE DEPLOYER, WITHOUT UNREASONABLE
25 DELAY, BUT NO LATER THAN NINETY DAYS AFTER THE DATE OF THE
26 DISCOVERY, SHALL SEND TO THE ATTORNEY GENERAL, IN A FORM AND
27 MANNER PRESCRIBED BY THE ATTORNEY GENERAL, A NOTICE DISCLOSING

1 THE DISCOVERY.

2 (8) NOTHING IN SUBSECTIONS (2) TO (5) AND (7) OF THIS SECTION
3 REQUIRES A DEPLOYER TO DISCLOSE A TRADE SECRET OR OTHER
4 CONFIDENTIAL OR PROPRIETARY INFORMATION.

5 (9) ON AND AFTER FEBRUARY 1, 2026, THE ATTORNEY GENERAL
6 MAY REQUIRE THAT A DEPLOYER, OR A THIRD PARTY CONTRACTED BY THE
7 DEPLOYER, DISCLOSE TO THE ATTORNEY GENERAL, IN A FORM AND
8 MANNER PRESCRIBED BY THE ATTORNEY GENERAL, THE RISK
9 MANAGEMENT POLICY IMPLEMENTED PURSUANT TO SUBSECTION (2) OF
10 THIS SECTION, THE IMPACT ASSESSMENT COMPLETED PURSUANT TO
11 SUBSECTION (3) OF THIS SECTION, OR THE RECORDS MAINTAINED
12 PURSUANT TO SUBSECTION (3)(f) OF THIS SECTION. THE ATTORNEY
13 GENERAL MAY EVALUATE THE RISK MANAGEMENT POLICY, IMPACT
14 ASSESSMENT, OR RECORDS TO ENSURE COMPLIANCE WITH THIS PART 16,
15 AND THE RISK MANAGEMENT POLICY, IMPACT ASSESSMENT, AND RECORDS
16 ARE NOT SUBJECT TO DISCLOSURE UNDER THE "COLORADO OPEN RECORDS
17 ACT", PART 2 OF ARTICLE 72 OF TITLE 24. IN A DISCLOSURE PURSUANT TO
18 THIS SUBSECTION (9), A DEPLOYER MAY DESIGNATE THE STATEMENT OR
19 DOCUMENTATION AS INCLUDING PROPRIETARY INFORMATION OR A TRADE
20 SECRET. TO THE EXTENT THAT ANY INFORMATION CONTAINED IN THE RISK
21 MANAGEMENT POLICY, IMPACT ASSESSMENT, OR RECORDS INCLUDE
22 INFORMATION SUBJECT TO ATTORNEY-CLIENT PRIVILEGE OR
23 WORK-PRODUCT PROTECTION, THE DISCLOSURE DOES NOT CONSTITUTE A
24 WAIVER OF THE PRIVILEGE OR PROTECTION.

25 **6-1-1604. Disclosure of an artificial intelligence system to**
26 **consumer.** (1) ON AND AFTER FEBRUARY 1, 2026, AND EXCEPT AS
27 PROVIDED IN SUBSECTION (2) OF THIS SECTION, A DEPLOYER OR OTHER

1 DEVELOPER THAT DEPLOYS, OFFERS, SELLS, LEASES, LICENSES, GIVES, OR
2 OTHERWISE MAKES AVAILABLE AN ARTIFICIAL INTELLIGENCE SYSTEM
3 THAT IS INTENDED TO INTERACT WITH CONSUMERS SHALL ENSURE THE
4 DISCLOSURE TO EACH CONSUMER WHO INTERACTS WITH THE ARTIFICIAL
5 INTELLIGENCE SYSTEM THAT THE CONSUMER IS INTERACTING WITH AN
6 ARTIFICIAL INTELLIGENCE SYSTEM.

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

11 **6-1-1605. Compliance with other legal obligations -**
12 **definitions. (1) NOTHING IN THIS PART 16 RESTRICTS A DEVELOPER'S, A**
13 **DEPLOYER'S, OR OTHER PERSON'S ABILITY TO:**

14 (a) COMPLY WITH FEDERAL, STATE, OR MUNICIPAL LAWS,
15 ORDINANCES, OR REGULATIONS;

16 (b) COMPLY WITH A CIVIL, CRIMINAL, OR REGULATORY INQUIRY,
17 INVESTIGATION, SUBPOENA, OR SUMMONS BY A FEDERAL, A STATE, A
18 MUNICIPAL, OR OTHER GOVERNMENTAL AUTHORITY;

19 (c) COOPERATE WITH A LAW ENFORCEMENT AGENCY CONCERNING
20 CONDUCT OR ACTIVITY THAT THE DEVELOPER, DEPLOYER, OR OTHER
21 PERSON REASONABLY AND IN GOOD FAITH BELIEVES MAY VIOLATE
22 FEDERAL, STATE, OR MUNICIPAL LAWS, ORDINANCES, OR REGULATIONS;

23 (d) INVESTIGATE, ESTABLISH, EXERCISE, PREPARE FOR, OR DEFEND
24 LEGAL CLAIMS;

25 (e) TAKE IMMEDIATE STEPS TO PROTECT AN INTEREST THAT IS
26 ESSENTIAL FOR THE LIFE OR PHYSICAL SAFETY OF A CONSUMER OR
27 ANOTHER INDIVIDUAL;

1 (f) BY ANY MEANS OTHER THAN THE USE OF FACIAL RECOGNITION
2 TECHNOLOGY, PREVENT, DETECT, PROTECT AGAINST, OR RESPOND TO
3 SECURITY INCIDENTS, IDENTITY THEFT, FRAUD, HARASSMENT, MALICIOUS
4 OR DECEPTIVE ACTIVITIES, OR ILLEGAL ACTIVITY; INVESTIGATE, REPORT,
5 OR PROSECUTE THE PERSONS RESPONSIBLE FOR ANY SUCH ACTION; OR
6 PRESERVE THE INTEGRITY OR SECURITY OF SYSTEMS;

7 (g) ENGAGE IN PUBLIC OR PEER-REVIEWED SCIENTIFIC OR
8 STATISTICAL RESEARCH IN THE PUBLIC INTEREST THAT ADHERES TO ALL
9 OTHER APPLICABLE ETHICS AND PRIVACY LAWS AND IS CONDUCTED IN
10 ACCORDANCE WITH 45 CFR 46, AS AMENDED, OR RELEVANT
11 REQUIREMENTS ESTABLISHED BY THE FEDERAL FOOD AND DRUG
12 ADMINISTRATION;

13 (h) CONDUCT RESEARCH, TESTING, AND DEVELOPMENT ACTIVITIES
14 REGARDING AN ARTIFICIAL INTELLIGENCE SYSTEM OR MODEL, OTHER THAN
15 TESTING CONDUCTED UNDER REAL-WORLD CONDITIONS, BEFORE THE
16 ARTIFICIAL INTELLIGENCE SYSTEM OR MODEL IS PLACED ON THE MARKET,
17 DEPLOYED, OR PUT INTO SERVICE, AS APPLICABLE; OR

18 (i) ASSIST ANOTHER DEVELOPER, DEPLOYER, OR OTHER PERSON
19 WITH ANY OF THE OBLIGATIONS IMPOSED UNDER THIS PART 16.

20 (2) THE OBLIGATIONS IMPOSED ON DEVELOPERS, DEPLOYERS, OR
21 OTHER PERSONS UNDER THIS PART 16 DO NOT RESTRICT A DEVELOPER'S, A
22 DEPLOYER'S, OR OTHER PERSON'S ABILITY TO:

23 (a) EFFECTUATE A PRODUCT RECALL; OR

24 (b) IDENTIFY AND REPAIR TECHNICAL ERRORS THAT IMPAIR
25 EXISTING OR INTENDED FUNCTIONALITY.

26 (3) THE OBLIGATIONS IMPOSED ON DEVELOPERS, DEPLOYERS, OR
27 OTHER PERSONS UNDER THIS PART 16 DO NOT APPLY WHERE COMPLIANCE

1 WITH THIS PART 16 BY THE DEVELOPER, DEPLOYER, OR OTHER PERSON
2 WOULD VIOLATE AN EVIDENTIARY PRIVILEGE UNDER THE LAWS OF THIS
3 STATE.

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

9 (a) THE FIRST AMENDMENT TO THE UNITED STATES CONSTITUTION;

10 OR

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

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

14 (a) IN SO FAR AS THE DEVELOPER, DEPLOYER, OR OTHER PERSON
15 DEVELOPS, DEPLOYS, PUTS INTO SERVICE, OR INTENTIONALLY AND
16 SUBSTANTIALLY MODIFIES, AS APPLICABLE, A HIGH-RISK ARTIFICIAL
17 INTELLIGENCE SYSTEM:

18 (I) THAT HAS BEEN APPROVED, AUTHORIZED, CERTIFIED, CLEARED,
19 OR GRANTED BY A FEDERAL AGENCY, SUCH AS THE FEDERAL FOOD AND
20 DRUG ADMINISTRATION OR THE FEDERAL AVIATION ADMINISTRATION,
21 ACTING WITHIN THE SCOPE OF THE FEDERAL AGENCY'S AUTHORITY; OR

22 (II) IN COMPLIANCE WITH STANDARDS ESTABLISHED BY A FEDERAL
23 AGENCY, INCLUDING STANDARDS ESTABLISHED BY THE FEDERAL OFFICE
24 OF THE NATIONAL COORDINATOR FOR HEALTH INFORMATION
25 TECHNOLOGY;

26 (b) CONDUCTING RESEARCH TO SUPPORT AN APPLICATION FOR
27 APPROVAL OR CERTIFICATION FROM A FEDERAL AGENCY, INCLUDING THE

1 FEDERAL AVIATION ADMINISTRATION, THE FEDERAL COMMUNICATIONS
2 COMMISSION, OR THE FEDERAL FOOD AND DRUG ADMINISTRATION OR
3 RESEARCH TO SUPPORT AN APPLICATION OTHERWISE SUBJECT TO REVIEW
4 BY THE FEDERAL AGENCY;

5 (c) PERFORMING WORK UNDER, OR IN CONNECTION WITH, A
6 CONTRACT WITH THE UNITED STATES DEPARTMENT OF COMMERCE, THE
7 UNITED STATES DEPARTMENT OF DEFENSE, OR THE NATIONAL
8 AERONAUTICS AND SPACE ADMINISTRATION, UNLESS THE DEVELOPER,
9 DEPLOYER, OR OTHER PERSON IS PERFORMING THE WORK ON A HIGH-RISK
10 ARTIFICIAL INTELLIGENCE SYSTEM THAT IS USED TO MAKE, OR IS A
11 SUBSTANTIAL FACTOR IN MAKING, A DECISION CONCERNING EMPLOYMENT
12 OR HOUSING; OR

13 (d) THAT IS A COVERED ENTITY WITHIN THE MEANING OF THE
14 FEDERAL "HEALTH INSURANCE PORTABILITY AND ACCOUNTABILITY ACT
15 OF 1996", 42 U.S.C. SECS. 1320d TO 1320d-9, AND THE REGULATIONS
16 PROMULGATED UNDER THE FEDERAL ACT, AS BOTH MAY BE AMENDED
17 FROM TIME TO TIME, AND IS PROVIDING HEALTH-CARE RECOMMENDATIONS
18 THAT:

- 19 (I) ARE GENERATED BY AN ARTIFICIAL INTELLIGENCE SYSTEM;
20 (II) REQUIRE A HEALTH-CARE PROVIDER TO TAKE ACTION TO
21 IMPLEMENT THE RECOMMENDATIONS; AND
22 (III) ARE NOT CONSIDERED TO BE HIGH RISK.

23 (6) NOTHING IN THIS PART 16 APPLIES TO ANY ARTIFICIAL
24 INTELLIGENCE SYSTEM THAT IS ACQUIRED BY OR FOR THE FEDERAL
25 GOVERNMENT OR ANY FEDERAL AGENCY OR DEPARTMENT, INCLUDING THE
26 UNITED STATES DEPARTMENT OF COMMERCE, THE UNITED STATES
27 DEPARTMENT OF DEFENSE, OR THE NATIONAL AERONAUTICS AND SPACE

1 ADMINISTRATION, UNLESS THE ARTIFICIAL INTELLIGENCE SYSTEM IS A
2 HIGH-RISK ARTIFICIAL INTELLIGENCE SYSTEM THAT IS USED TO MAKE, OR
3 IS A SUBSTANTIAL FACTOR IN MAKING, A DECISION CONCERNING
4 EMPLOYMENT OR HOUSING.

5 (7) AN INSURER, AS DEFINED IN SECTION 10-1-102 (13), OR
6 FRATERNAL BENEFIT SOCIETY, AS DEFINED IN SECTION 10-14-102, IS IN
7 FULL COMPLIANCE WITH THIS PART 16 IF THE INSURER OR FRATERNAL
8 BENEFIT SOCIETY HAS IMPLEMENTED AND MAINTAINS A WRITTEN
9 ARTIFICIAL INTELLIGENCE SYSTEMS PROGRAM IN ACCORDANCE WITH ALL
10 REQUIREMENTS ESTABLISHED BY THE COMMISSIONER OF INSURANCE AND
11 THE REQUIREMENTS ESTABLISHED BY THE COMMISSIONER OF INSURANCE
12 ARE SUBSTANTIALLY EQUIVALENT OR MORE STRINGENT THAN THE
13 REQUIREMENTS OF THIS PART 16.

14 (8) (a) A BANK, OUT-OF-STATE BANK, CREDIT UNION CHARTERED
15 BY THE STATE OF COLORADO, FEDERAL CREDIT UNION, OUT-OF-STATE
16 CREDIT UNION, OR ANY AFFILIATE OR SUBSIDIARY THEREOF, IS IN FULL
17 COMPLIANCE WITH THIS PART 16 IF THE BANK, OUT-OF-STATE BANK,
18 CREDIT UNION CHARTERED BY THE STATE OF COLORADO, FEDERAL CREDIT
19 UNION, OUT-OF-STATE CREDIT UNION, OR AFFILIATE OR SUBSIDIARY IS
20 SUBJECT TO EXAMINATION BY A STATE OR FEDERAL PRUDENTIAL
21 REGULATOR UNDER ANY PUBLISHED GUIDANCE OR REGULATIONS THAT
22 APPLY TO THE USE OF HIGH-RISK ARTIFICIAL INTELLIGENCE SYSTEMS AND
23 THE GUIDANCE OR REGULATIONS:

24 (I) IMPOSE REQUIREMENTS THAT ARE SUBSTANTIALLY EQUIVALENT
25 TO OR MORE STRINGENT THAN THE REQUIREMENTS IMPOSED IN THIS PART
26 16; AND

27 (II) AT A MINIMUM, REQUIRE THE BANK, OUT-OF-STATE BANK,

1 CREDIT UNION CHARTERED BY THE STATE OF COLORADO, FEDERAL CREDIT
2 UNION, OUT-OF-STATE CREDIT UNION, OR AFFILIATE OR SUBSIDIARY TO:

3 (A) REGULARLY AUDIT THE BANK'S, OUT-OF-STATE BANK'S,
4 CREDIT UNION CHARTERED BY THE STATE OF COLORADO'S, FEDERAL
5 CREDIT UNION'S, OUT-OF-STATE CREDIT UNION'S, OR AFFILIATE'S OR
6 SUBSIDIARY'S USE OF HIGH-RISK ARTIFICIAL INTELLIGENCE SYSTEMS FOR
7 COMPLIANCE WITH STATE AND FEDERAL ANTIDISCRIMINATION LAWS AND
8 REGULATIONS APPLICABLE TO THE BANK, OUT-OF-STATE BANK, CREDIT
9 UNION CHARTERED BY THE STATE OF COLORADO, FEDERAL CREDIT UNION,
10 OUT-OF-STATE CREDIT UNION, OR AFFILIATE OR SUBSIDIARY; AND

11 (B) MITIGATE ANY ALGORITHMIC DISCRIMINATION CAUSED BY THE
12 USE OF A HIGH-RISK ARTIFICIAL INTELLIGENCE SYSTEM OR ANY RISK OF
13 ALGORITHMIC DISCRIMINATION THAT IS REASONABLY FORESEEABLE AS A
14 RESULT OF THE USE OF A HIGH-RISK ARTIFICIAL INTELLIGENCE SYSTEM.

15 (b) AS USED IN THIS SUBSECTION (8):

16 (I) "AFFILIATE" HAS THE MEANING SET FORTH IN SECTION
17 11-101-401 (3.5).

18 (II) "BANK" HAS THE MEANING SET FORTH IN SECTION 11-101-401
19 (5).

20 (III) "CREDIT UNION" HAS THE MEANING SET FORTH IN SECTION
21 11-30-101 (1)(a).

22 (IV) "OUT-OF-STATE BANK" HAS THE MEANING SET FORTH IN
23 SECTION 11-101-401 (50).

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

1 **6-1-1606. Enforcement by attorney general.**

2 (1) NOTWITHSTANDING SECTION 6-1-103, THE ATTORNEY GENERAL HAS
3 EXCLUSIVE AUTHORITY TO ENFORCE THIS PART 16.

4 (2) EXCEPT AS PROVIDED IN SUBSECTION (3) OF THIS SECTION, A
5 VIOLATION OF THE REQUIREMENTS ESTABLISHED IN THIS PART 16
6 CONSTITUTES AN UNFAIR TRADE PRACTICE PURSUANT TO SECTION 6-1-105
7 (1)(eeee).

8 (3) IN ANY ACTION COMMENCED BY THE ATTORNEY GENERAL TO
9 ENFORCE THIS PART 16, IT IS AN AFFIRMATIVE DEFENSE THAT THE
10 DEVELOPER, DEPLOYER, OR OTHER PERSON:

11 (a) DISCOVERS A VIOLATION OF THIS PART 16 AS A RESULT OF:

12 (I) FEEDBACK THAT THE DEVELOPER, DEPLOYER, OR OTHER
13 PERSON ENCOURAGES DEPLOYERS OR USERS TO PROVIDE TO THE
14 DEVELOPER, DEPLOYER, OR OTHER PERSON;

15 (II) ADVERSARIAL TESTING OR RED TEAMING, AS THOSE TERMS
16 ARE DEFINED OR USED BY THE NATIONAL INSTITUTE OF STANDARDS AND
17 TECHNOLOGY; OR

18 (III) AN INTERNAL REVIEW PROCESS; AND

19 (b) IS OTHERWISE IN COMPLIANCE WITH:

20 (I) THE LATEST VERSION OF THE "ARTIFICIAL INTELLIGENCE RISK
21 MANAGEMENT FRAMEWORK" PUBLISHED BY THE NATIONAL INSTITUTE OF
22 STANDARDS AND TECHNOLOGY IN THE UNITED STATES DEPARTMENT OF
23 COMMERCE AND STANDARD ISO/IEC 42001 OF THE INTERNATIONAL
24 ORGANIZATION FOR STANDARDIZATION;

25 (II) ANOTHER NATIONALLY OR INTERNATIONALLY RECOGNIZED
26 RISK MANAGEMENT FRAMEWORK FOR ARTIFICIAL INTELLIGENCE SYSTEMS;

27 OR

1 (III) ANY RISK MANAGEMENT FRAMEWORK FOR ARTIFICIAL
2 INTELLIGENCE SYSTEMS THAT THE ATTORNEY GENERAL, IN THE ATTORNEY
3 GENERAL'S DISCRETION, MAY DESIGNATE AND, IF DESIGNATED, SHALL
4 PUBLICLY DISSEMINATE.

5 (4) A DEVELOPER, A DEPLOYER, OR OTHER PERSON BEARS THE
6 BURDEN OF DEMONSTRATING TO THE ATTORNEY GENERAL THAT THE
7 REQUIREMENTS ESTABLISHED IN SUBSECTION (3) OF THIS SECTION HAVE
8 BEEN SATISFIED.

9 (5) NOTHING IN THIS PART 16, INCLUDING THE ENFORCEMENT
10 AUTHORITY GRANTED TO THE ATTORNEY GENERAL UNDER THIS SECTION,
11 PREEMPTS OR OTHERWISE AFFECTS ANY RIGHT, CLAIM, REMEDY,
12 PRESUMPTION, OR DEFENSE AVAILABLE AT LAW OR IN EQUITY. A
13 REBUTTABLE PRESUMPTION OR AFFIRMATIVE DEFENSE ESTABLISHED
14 UNDER THIS PART 16 APPLIES ONLY TO AN ENFORCEMENT ACTION
15 BROUGHT BY THE ATTORNEY GENERAL PURSUANT TO THIS SECTION AND
16 DOES NOT APPLY TO ANY RIGHT, CLAIM, REMEDY, PRESUMPTION, OR
17 DEFENSE AVAILABLE AT LAW OR IN EQUITY.

18 (6) THIS PART 16 DOES NOT PROVIDE THE BASIS FOR, AND IS NOT
19 SUBJECT TO, A PRIVATE RIGHT OF ACTION FOR VIOLATIONS OF THIS PART
20 16 OR ANY OTHER LAW.

21 **6-1-1607. Rules.** (1) THE ATTORNEY GENERAL MAY PROMULGATE
22 RULES AS NECESSARY FOR THE PURPOSE OF IMPLEMENTING AND
23 ENFORCING THIS PART 16, INCLUDING:

24 (a) THE DOCUMENTATION AND REQUIREMENTS FOR DEVELOPERS
25 PURSUANT TO SECTION 6-1-1602 (2);

26 (b) THE CONTENTS OF AND REQUIREMENTS FOR THE NOTICES AND
27 DISCLOSURES REQUIRED BY SECTIONS 6-1-1602 (5) AND (7); 6-1-1603 (4),

1 (5), (7), AND (9); AND 6-1-1604;

2 (c) THE CONTENT AND REQUIREMENTS OF THE RISK MANAGEMENT
3 POLICY AND PROGRAM REQUIRED BY SECTION 6-1-1603 (2);

4 (d) THE CONTENT AND REQUIREMENTS OF THE IMPACT
5 ASSESSMENTS REQUIRED BY SECTION 6-1-1603 (3);

6 (e) THE REQUIREMENTS FOR THE REBUTTABLE PRESUMPTIONS SET
7 FORTH IN SECTIONS 6-1-1602 AND 6-1-1603; AND

8 (f) THE REQUIREMENTS FOR THE AFFIRMATIVE DEFENSE SET FORTH
9 IN SECTION 6-1-1606 (3), INCLUDING THE PROCESS BY WHICH THE
10 ATTORNEY GENERAL WILL RECOGNIZE ANY OTHER NATIONALLY OR
11 INTERNATIONALLY RECOGNIZED RISK MANAGEMENT FRAMEWORK FOR
12 ARTIFICIAL INTELLIGENCE SYSTEMS.

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

15 **6-1-105. Unfair or deceptive trade practices.** (1) A person
16 engages in a deceptive trade practice when, in the course of the person's
17 business, vocation, or occupation, the person:

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

19 **SECTION 3. Safety clause.** The general assembly finds,
20 determines, and declares that this act is necessary for the immediate
21 preservation of the public peace, health, or safety or for appropriations for
22 the support and maintenance of the departments of the state and state
23 institutions.