

HOUSE COMMITTEE OF REFERENCE AMENDMENT

Committee on Appropriations.

HB25B-1008 be amended as follows:

1 Strike the Business Affairs and Labor Committee Report, dated August
2 21, 2025, and substitute:

3 "Amend printed bill, strike everything below the enacting clause and
4 substitute:

5 "SECTION 1. In Colorado Revised Statutes, 6-1-1702, **amend**
6 (1), (2) introductory portion, (3)(a), (4)(a) introductory portion, (5)
7 introductory portion, and (7) as follows:

8 **6-1-1702. Developer duty to avoid algorithmic discrimination**
9 **- required documentation.** (1) On and after ~~February 1, 2026~~ MAY 1,
10 2026, a developer of a high-risk artificial intelligence system shall use
11 reasonable care to protect consumers from any known or reasonably
12 foreseeable risks of algorithmic discrimination arising from the intended
13 and contracted uses of the high-risk artificial intelligence system. In any
14 enforcement action brought on or after ~~February 1, 2026~~ MAY 1, 2026, by
15 the attorney general pursuant to section 6-1-1706, there is a rebuttable
16 presumption that a developer used reasonable care as required under this
17 section if the developer complied with this section and any additional
18 requirements or obligations as set forth in rules ~~promulgated~~ ADOPTED by
19 the attorney general pursuant to section 6-1-1707.

20 (2) On and after ~~February 1, 2026~~ MAY 1, 2026, and except as
21 provided in subsection (6) of this section, a developer of a high-risk
22 artificial intelligence system shall make available to the deployer or other
23 developer of the high-risk artificial intelligence system:

24 (3) (a) Except as provided in subsection (6) of this section, a
25 developer that offers, sells, leases, licenses, gives, or otherwise makes
26 available to a deployer or other developer a high-risk artificial
27 intelligence system on or after ~~February 1, 2026~~ MAY 1, 2026, shall make
28 available to the deployer or other developer, to the extent feasible, the
29 documentation and information, through artifacts such as model cards,
30 dataset cards, or other impact assessments, necessary for a deployer, or
31 for a third party contracted by a deployer, to complete an impact
32 assessment pursuant to section 6-1-1703 (3).

33 (4) (a) On and after ~~February 1, 2026~~ MAY 1, 2026, a developer
34 shall make available, in a manner that is clear and readily available on the
35 developer's website or in a public use case inventory, a statement
36 summarizing:

37 (5) On and after ~~February 1, 2026~~ MAY 1, 2026, a developer of a
38 high-risk artificial intelligence system shall disclose to the attorney
39 general, in a form and manner prescribed by the attorney general, and to

1 all known deployers or other developers of the high-risk artificial
2 intelligence system, any known or reasonably foreseeable risks of
3 algorithmic discrimination arising from the intended uses of the high-risk
4 artificial intelligence system without unreasonable delay but no later than
5 ninety days after the date on which:

6 (7) On and after ~~February 1, 2026~~ MAY 1, 2026, the attorney
7 general may require that a developer disclose to the attorney general, no
8 later than ninety days after the request and in a form and manner
9 prescribed by the attorney general, the statement or documentation
10 described in subsection (2) of this section. The attorney general may
11 evaluate such statement or documentation to ensure compliance with this
12 part 17, and the statement or documentation is not subject to disclosure
13 under the "Colorado Open Records Act", part 2 of article 72 of title 24.
14 In a disclosure MADE pursuant to this subsection (7), a developer may
15 designate the statement or documentation as including proprietary
16 information or a trade secret. To the extent that any information contained
17 in the statement or documentation includes information subject to
18 attorney-client privilege or work-product protection, the disclosure does
19 not constitute a waiver of the privilege or protection.

20 **SECTION 2.** In Colorado Revised Statutes, 6-1-1703, **amend** (1),
21 (2)(a) introductory portion, (3)(a), (3)(c), (3)(g), (4)(a) introductory
22 portion, (4)(b) introductory portion, (5)(a) introductory portion, (7), and
23 (9) as follows:

24 **6-1-1703. Deployer duty to avoid algorithmic discrimination**
25 **- risk management policy and program.** (1) On and after ~~February 1,~~
26 ~~2026~~ MAY 1, 2026, a deployer of a high-risk artificial intelligence system
27 shall use reasonable care to protect consumers from any known or
28 reasonably foreseeable risks of algorithmic discrimination. In any
29 enforcement action brought on or after ~~February 1, 2026~~ MAY 1, 2026, by
30 the attorney general pursuant to section 6-1-1706, there is a rebuttable
31 presumption that a deployer of a high-risk artificial intelligence system
32 used reasonable care as required under this section if the deployer
33 complied with this section and any additional requirements or obligations
34 as set forth in rules ~~promulgated~~ ADOPTED by the attorney general
35 pursuant to section 6-1-1707.

36 (2) (a) On and after ~~February 1, 2026~~ MAY 1, 2026, and except as
37 provided in subsection (6) of this section, a deployer of a high-risk
38 artificial intelligence system shall implement a risk management policy
39 and program to govern the deployer's deployment of the high-risk
40 artificial intelligence system. The risk management policy and program
41 must specify and incorporate the principles, processes, and personnel that
42 the deployer uses to identify, document, and mitigate known or
43 reasonably foreseeable risks of algorithmic discrimination. The risk

1 management policy and program must be an iterative process planned,
2 implemented, and regularly and systematically reviewed and updated over
3 the life cycle of a high-risk artificial intelligence system, requiring
4 regular, systematic review and updates. A risk management policy and
5 program implemented and maintained pursuant to this subsection (2) must
6 be reasonable considering:

7 (3) (a) Except as provided in subsections (3)(d), (3)(e), and (6) of
8 this section:

9 (I) A deployer, or a third party contracted by the deployer, that
10 deploys a high-risk artificial intelligence system on or after ~~February 1,~~
11 ~~2026~~ MAY 1, 2026, shall complete an impact assessment for the high-risk
12 artificial intelligence system; and

13 (II) On and after ~~February 1, 2026~~ MAY 1, 2026, a deployer, or a
14 third party contracted by the deployer, shall complete an impact
15 assessment for a deployed high-risk artificial intelligence system at least
16 annually and within ninety days after any intentional and substantial
17 modification to the high-risk artificial intelligence system is made
18 available.

19 (c) In addition to the information required under subsection (3)(b)
20 of this section, an impact assessment completed pursuant to this
21 subsection (3) following an intentional and substantial modification to a
22 high-risk artificial intelligence system on or after ~~February 1, 2026~~ MAY
23 1, 2026, must include a statement disclosing the extent to which the
24 high-risk artificial intelligence system was used in a manner that was
25 consistent with, or varied from, the developer's intended uses of the
26 high-risk artificial intelligence system.

27 (g) On or before ~~February 1, 2026~~ MAY 1, 2026, and at least
28 annually thereafter, a deployer, or a third party contracted by the deployer,
29 must review the deployment of each high-risk artificial intelligence
30 system deployed by the deployer to ensure that the high-risk artificial
31 intelligence system is not causing algorithmic discrimination.

32 (4) (a) On and after ~~February 1, 2026~~ MAY 1, 2026, and no later
33 than the time that a deployer deploys a high-risk artificial intelligence
34 system to make, or be a substantial factor in making, a consequential
35 decision concerning a consumer, the deployer shall:

36 (b) On and after ~~February 1, 2026~~ MAY 1, 2026, a deployer that
37 has deployed a high-risk artificial intelligence system to make, or be a
38 substantial factor in making, a consequential decision concerning a
39 consumer shall, if the consequential decision is adverse to the consumer,
40 provide to the consumer:

41 (5) (a) On and after ~~February 1, 2026~~ MAY 1, 2026, and except as
42 provided in subsection (6) of this section, a deployer shall make available,
43 in a manner that is clear and readily available on the deployer's website,

1 a statement summarizing:

2 (7) If a deployer deploys a high-risk artificial intelligence system
3 on or after ~~February 1, 2026~~ MAY 1, 2026, and subsequently discovers
4 that the high-risk artificial intelligence system has caused algorithmic
5 discrimination, the deployer, without unreasonable delay, but no later than
6 ninety days after the date of the discovery, shall send to the attorney
7 general, in a form and manner prescribed by the attorney general, a notice
8 disclosing the discovery.

9 (9) On and after ~~February 1, 2026~~ MAY 1, 2026, the attorney
10 general may require that a deployer, or a third party contracted by the
11 deployer, disclose to the attorney general, no later than ninety days after
12 the request and in a form and manner prescribed by the attorney general,
13 the risk management policy implemented pursuant to subsection (2) of
14 this section, the impact assessment completed pursuant to subsection (3)
15 of this section, or the records maintained pursuant to subsection (3)(f) of
16 this section. The attorney general may evaluate the risk management
17 policy, impact assessment, or records to ensure compliance with this part
18 17, and the risk management policy, impact assessment, and records are
19 not subject to disclosure under the "Colorado Open Records Act", part 2
20 of article 72 of title 24. In a disclosure MADE pursuant to this subsection
21 (9), a deployer may designate the statement or documentation as including
22 proprietary information or a trade secret. To the extent that any
23 information contained in the risk management policy, impact assessment,
24 or records includes information subject to attorney-client privilege or
25 work-product protection, the disclosure does not constitute a waiver of
26 the privilege or protection.

27 **SECTION 3.** In Colorado Revised Statutes, 6-1-1704, **amend** (1)
28 as follows:

29 **6-1-1704. Disclosure of an artificial intelligence system to**
30 **consumer.** (1) On and after ~~February 1, 2026~~ MAY 1, 2026, and except
31 as provided in subsection (2) of this section, a deployer or other developer
32 that deploys, offers, sells, leases, licenses, gives, or otherwise makes
33 available an artificial intelligence system that is intended to interact with
34 consumers shall ensure the disclosure to each consumer who interacts
35 with the artificial intelligence system that the consumer is interacting with
36 an artificial intelligence system.

37 **SECTION 4. Act subject to petition - effective date.** This act
38 takes effect at 12:01 a.m. on the day following the expiration of the
39 ninety-day period after final adjournment of the general assembly; except
40 that, if a referendum petition is filed pursuant to section 1 (3) of article V
41 of the state constitution against this act or an item, section, or part of this
42 act within such period, then the act, item, section, or part will not take
43 effect unless approved by the people at the general election to be held in

1 November 2026 and, in such case, will take effect on the date of the
2 official declaration of the vote thereon by the governor."

3 Page 1, line 101, before "CONSUMER" insert "IMPLEMENTING".

4 Page 1, line 102, strike "SYSTEMS." and substitute "SYSTEMS ON OR
5 BEFORE MAY 1, 2026."."

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