

SB113_L.001

SENATE COMMITTEE OF REFERENCE AMENDMENT

Committee on Business, Labor, & Technology.

SB22-113 be amended as follows:

1 Amend printed bill, page 3, strike line 10.

2 Strike page 4.

3 Page 5, strike lines 1 through 18 and substitute:

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5 "(b) THE TASK FORCE INCLUDES THE FOLLOWING TWENTY
6 MEMBERS:

7 (I) THE CHIEF INFORMATION OFFICER APPOINTED BY THE
8 GOVERNOR PURSUANT TO SECTION 24-37.5-103 (1), OR THE CHIEF
9 INFORMATION OFFICER'S DESIGNEE;

10 (II) THE ATTORNEY GENERAL OR THE ATTORNEY GENERAL'S
11 DESIGNEE;

12 (III) THE CHAIR OF THE STATE BOARD OF EDUCATION OR THE
13 CHAIR'S DESIGNEE;

14 (IV) ONE MEMBER WHO REPRESENTS THE COLORADO DISTRICT
15 ATTORNEYS' COUNCIL;

16 (V) ONE MEMBER WHO REPRESENTS THE COUNTY SHERIFFS OF
17 COLORADO OR A SUCCESSOR ORGANIZATION;

18 (VI) ONE MEMBER WHO REPRESENTS THE COLORADO
19 ASSOCIATION OF CHIEFS OF POLICE OR A SUCCESSOR ORGANIZATION;

20 (VII) TWO MEMBERS WHO ARE STATE REPRESENTATIVES, TO BE
21 APPOINTED BY THE SPEAKER OF THE HOUSE OF REPRESENTATIVES, WHICH
22 MEMBERS MUST NOT BELONG TO THE SAME POLITICAL PARTY;

23 (VIII) TWO MEMBERS WHO ARE STATE SENATORS, TO BE
24 APPOINTED BY THE PRESIDENT OF THE SENATE, WHICH MEMBERS MUST NOT
25 BELONG TO THE SAME POLITICAL PARTY;

26 (IX) TWO MEMBERS WHO REPRESENT LOCAL SCHOOL DISTRICT
27 BOARDS OF EDUCATION, ONE OF WHOM TO BE APPOINTED BY THE SPEAKER
28 OF THE HOUSE OF REPRESENTATIVES AND ONE OF WHOM TO BE APPOINTED
29 BY THE PRESIDENT OF THE SENATE;

30 (X) TWO MEMBERS WHO ARE INSTRUCTORS AT ONE OR MORE
31 INSTITUTIONS OF HIGHER EDUCATION AND HAVE EXPERT KNOWLEDGE OF,
32 AND EXPERIENCE WITH, ARTIFICIAL INTELLIGENCE TECHNOLOGY, ONE OF
33 WHOM TO BE APPOINTED BY THE SPEAKER OF THE HOUSE OF
34 REPRESENTATIVES AND ONE OF WHOM TO BE APPOINTED BY THE
35 PRESIDENT OF THE SENATE;

36 (XI) TWO MEMBERS WHO ARE BUSINESS PROFESSIONALS WITH
37 EXPERT KNOWLEDGE OF, AND EXPERIENCE WITH, ARTIFICIAL
38 INTELLIGENCE PRODUCTS, ONE OF WHOM TO BE APPOINTED BY THE
39 SPEAKER OF THE HOUSE OF REPRESENTATIVES AND ONE OF WHOM TO BE

1 APPOINTED BY THE PRESIDENT OF THE SENATE;

2 (XII) TWO MEMBERS WHO ARE ATTORNEYS WITH EXPERT
3 KNOWLEDGE OF, AND EXPERIENCE WITH, FEDERAL AND STATE LAWS
4 CONCERNING ARTIFICIAL INTELLIGENCE, ONE OF WHOM TO BE APPOINTED
5 BY THE SPEAKER OF THE HOUSE OF REPRESENTATIVES AND ONE OF WHOM
6 TO BE APPOINTED BY THE PRESIDENT OF THE SENATE;

7 (XIII) ONE MEMBER WHO REPRESENTS A STATEWIDE CIVIL
8 LIBERTIES ORGANIZATION, TO BE APPOINTED BY THE SPEAKER OF THE
9 HOUSE OF REPRESENTATIVES; AND

10 (XIV) ONE MEMBER WHO REPRESENTS DISPROPORTIONATELY
11 IMPACTED COMMUNITIES, AS DEFINED IN SECTION 24-4-109 (2)(b)(II), TO
12 BE APPOINTED BY THE PRESIDENT OF THE SENATE.

13 (c) THE SPEAKER OF THE HOUSE OF REPRESENTATIVES AND THE
14 PRESIDENT OF THE SENATE SHALL MAKE EACH OF THE INITIAL
15 APPOINTMENTS DESCRIBED IN SUBSECTION (1)(b) OF THIS SECTION NOT
16 LATER THAN SIXTY DAYS AFTER THE EFFECTIVE DATE OF THIS SECTION.

17 (d) THE TERMS OF THE APPOINTED MEMBERS OF THE TASK FORCE
18 ARE AS FOLLOWS:

19 (I) THE STATE REPRESENTATIVES APPOINTED PURSUANT TO
20 SUBSECTION (1)(b)(VII) OF THIS SECTION MAY SERVE INDEFINITELY, AT
21 THE DISCRETION OF THE SPEAKER OF THE HOUSE OF REPRESENTATIVES, SO
22 LONG AS THEY REMAIN STATE REPRESENTATIVES;

23 (II) THE STATE SENATORS APPOINTED PURSUANT TO SUBSECTION
24 (1)(b)(VIII) OF THIS SECTION MAY SERVE INDEFINITELY, AT THE
25 DISCRETION OF THE PRESIDENT OF THE SENATE, SO LONG AS THEY REMAIN
26 STATE SENATORS;

27 (III) OF THE TWO MEMBERS APPOINTED PURSUANT TO EACH OF
28 SUBSECTIONS (1)(b)(IX) AND (1)(b)(X) OF THIS SECTION, THE INITIAL
29 TERM OF THE MEMBER APPOINTED BY THE SPEAKER OF THE HOUSE OF
30 REPRESENTATIVES IS TWO YEARS AND THE INITIAL TERM OF THE MEMBER
31 APPOINTED BY THE PRESIDENT OF THE SENATE IS FOUR YEARS, AND
32 THEREAFTER THE TERMS OF EACH SUCH MEMBER IS FOUR YEARS;

33 (IV) OF THE TWO MEMBERS APPOINTED PURSUANT TO EACH OF
34 SUBSECTIONS (1)(b)(XI) AND (1)(b)(XII) OF THIS SECTION, THE INITIAL
35 TERM OF THE MEMBER APPOINTED BY THE PRESIDENT OF THE SENATE IS
36 TWO YEARS AND THE INITIAL TERM OF THE MEMBER APPOINTED BY THE
37 SPEAKER OF THE HOUSE OF REPRESENTATIVES IS FOUR YEARS, AND
38 THEREAFTER THE TERMS OF EACH SUCH MEMBER IS FOUR YEARS; AND

39 (V) THE MEMBERS APPOINTED PURSUANT TO SUBSECTIONS
40 (1)(b)(XIII) AND (1)(b)(XIV) OF THIS SECTION SHALL SERVE TERMS OF
41 FOUR YEARS.

42 (e) ANY VACANCY THAT OCCURS AMONG THE APPOINTED
43 MEMBERS OF THE TASK FORCE SHALL BE FILLED BY THE APPROPRIATE

1 APPOINTING AUTHORITY AS SOON AS PRACTICABLE IN ACCORDANCE WITH
2 THE LIMITATIONS SPECIFIED IN SUBSECTION (1)(b) OF THIS SECTION.

3 (f) IN MAKING APPOINTMENTS TO THE TASK FORCE, THE SPEAKER
4 OF THE HOUSE OF REPRESENTATIVES AND THE PRESIDENT OF THE SENATE
5 SHALL ENSURE THAT:

6 (I) THE MEMBERSHIP OF THE TASK FORCE REFLECTS THE ETHNIC,
7 CULTURAL, AND GENDER DIVERSITY OF THE STATE; INCLUDES
8 REPRESENTATION OF ALL AREAS OF THE STATE; AND, TO THE EXTENT
9 PRACTICABLE, INCLUDES PERSONS WITH DISABILITIES; AND

10 (II) THE TWO MEMBERS APPOINTED PURSUANT TO EACH OF
11 SUBSECTIONS (1)(b)(IX) TO (1)(b)(XII) OF THIS SECTION RESIDE IN
12 DIFFERENT CONGRESSIONAL DISTRICTS.

13 (g) NOT LATER THAN NINETY DAYS AFTER THE EFFECTIVE DATE OF
14 THIS SECTION, THE PRESIDENT OF THE SENATE SHALL APPOINT A MEMBER
15 OF THE TASK FORCE TO SERVE AS THE INITIAL CHAIR OF THE TASK FORCE.
16 THEREAFTER, THE CHAIR OF THE TASK FORCE SHALL BE APPOINTED
17 ANNUALLY ON OR BEFORE JULY 1, WITH THE SPEAKER OF THE HOUSE OF
18 REPRESENTATIVES APPOINTING THE CHAIR IN ODD YEARS AND THE
19 PRESIDENT OF THE SENATE APPOINTING THE CHAIR IN EVEN YEARS."

20 Page 6, strike lines 17 through 19 and substitute:

21 "(a) MEET ON OR BEFORE OCTOBER 1, 2022, AT A TIME AND PLACE
22 TO BE DETERMINED BY THE CHAIR OF THE TASK FORCE;".

23 Page 7, strike lines 20 through 22 and substitute "LEGISLATIVE COUNCIL
24 MAY SUPPLY STAFF ASSISTANCE TO THE TASK FORCE AS THE DIRECTOR OF
25 RESEARCH DEEMS APPROPRIATE WITHIN EXISTING APPROPRIATIONS. THE
26 TASK".

27 Page 14, line 10, strike "**notice.**" and substitute "**notice - exemption.**".

28 Page 14, line 17, strike "AFTER" and substitute "EXCEPT AS DESCRIBED IN
29 SUBSECTION (8) OF THIS SECTION, AFTER".

30 Page 18, after line 14 insert:

31 "(8) THE REQUIREMENTS OF SUBSECTIONS (2), (3), (4), (5), AND (7)
32 OF THIS SECTION CONCERNING ACCOUNTABILITY REPORTS DO NOT APPLY
33 TO AN AGENCY'S PROCUREMENT OR USE OF A FACIAL RECOGNITION
34 SERVICE IF:

35 (a) THE FACIAL RECOGNITION SERVICE IS PART OF A GENERALLY
36 AVAILABLE CONSUMER PRODUCT;

1 (b) THE FACIAL RECOGNITION SERVICE IS INCLUDED IN THE
2 CONSUMER PRODUCT ONLY FOR PERSONAL OR HOUSEHOLD USE; AND

3 (c) THE AGENCY CERTIFIES PUBLICLY THAT THE FACIAL
4 RECOGNITION SERVICE IS NOT THE REASON FOR THE AGENCY'S
5 PROCUREMENT OR USE OF THE CONSUMER PRODUCT AND WILL NOT BE
6 USED FOR GOVERNMENTAL PURPOSES."

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