

House Business Affairs & Labor
 05/01/2024 Upon Adjournment
 HB24-1468 Artificial Intelligence & Biometric Technologies
 Typed Text of Testimony Submitted

Name, Position, Representing	Typed Text of Testimony
<p>Dana Flores Against National Center for Youth Law</p>	<p>Good afternoon and thank you for the opportunity to testify in opposition to HB 24-1468. My name is Dana Flores and I am the CO Campaign Coordinator for Youth Justice at the National Center for Youth Law. I am also a parent, attorney, and organizer working daily with young people directly impacted by Colorado’s public education and juvenile justice systems. Increasingly, these two systems are connected. The National Center for Youth Law opposes HB 24-1468 because harm caused by the broad application of facial recognition software in K-12 school settings will outweigh any potential benefit. The best way to promote safety, accountability and justice in public education is to invest in social emotional support for students and staff. Schools that foster a sense of connection with students and families are safe schools. Schools that rely heavily on restorative justice and rarely on law enforcement are safe schools. Schools that feel like prisons aren’t any safer- they just better prepare students for the actual conditions of prisons.</p> <p>A policy brief published in April 2024 by the National Center for Youth Law noted that “given the accelerated pace of AI development and its adoption by all sectors of society, children and youth must be at the forefront of deliberative and regulatory processes, helping to identify the dangers and benefits of AI, informing policy approaches, and guiding how AI impacts the lives of young people.” This bill would effectively lift an existing moratorium on use of AI facial recognition software in public schools without allowing a meaningful opportunity for input and discussion from students- the very people whose data will be collected and shared, presumably for profit.</p> <p>Facial recognition technology has significantly higher failure rates when identifying people of color, women, youth, and older adults. The burden of being misidentified will disproportionately fall on students of color, girls, trans people, and students with disabilities– but all people in school settings would be at risk of misidentification. False identification would have grave impacts on students and families. This technology has useful applications, but it is not currently appropriate for use in K-12 public schools and should not be introduced in that setting without significant input from students and families. Respectfully, we encourage the committee to vote no on HB 24-1468.</p>



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May 1, 2024

The Honorable Judy Amabile
Chair
House Business Affairs & Labor
Committee
Colorado General Assembly
200 E. Colfax Avenue
Denver, CO 80203

The Honorable Naquetta Ricks
Vice Chair, Bill Sponsor
House Business Affairs & Labor
Committee
Colorado General Assembly
200 E. Colfax Avenue
Denver, CO 80203

Re: HB24-1468, Artificial Intelligence & Biometric Technologies, TechNet Support

Dear Chair Amabile, Vice Chair Ricks, and Honorable Members of the House Business Affairs and Labor Committee:

I write on behalf of TechNet to express our support for HB24-1468, which would expand the purview of the Facial Recognition Technology Task Force to include the study of artificial intelligence technology policy and regulation.

TechNet is the national, bipartisan network of technology CEOs and senior executives that promotes the growth of the innovation economy by advocating targeted policy agenda at the federal and 50-state level. TechNet's diverse membership includes dynamic American businesses ranging from startups to the most iconic companies on the planet and represents over 4.4 million employees and countless customers in the fields of information technology, artificial intelligence, ecommerce, the sharing and gig economies, advanced energy, transportation, cybersecurity, venture capital, and finance.

AI has the potential to help us solve the greatest challenges of our time. It is being used to predict severe weather more accurately, protect critical infrastructure, defend against cyber threats, and accelerate the development of new medical treatments, including life-saving vaccines and ways to detect earlier signs of cancer. However, recognizing and addressing the genuine risks associated with AI is crucial for its responsible advancement. When guided by ethics, transparency, and fairness, responsible AI can spark creativity and lead us toward a more prosperous and sustainable future.

America has always been the global leader in the development of new technologies — technologies that have advanced life-enhancing innovation, created economic opportunities, made work and education more accessible, strengthened our global

competitiveness, and had an overwhelmingly positive impact on our lives. Getting AI policy right is critical for our economic success and national security, and in order to do so, lawmakers must hear from experts with deep knowledge and expertise. Regulations must be developed in collaboration with experts to ensure that new safeguards address specific known consumer harms without stifling innovation and Colorado's ability to lead on AI.

For these reasons, we support the creation of a policy venue to deliberate on AI policy in the interim. This is a fast-emerging area of legislative policy; providing an interim opportunity for AI industry stakeholders to have meaningful policy discussions with lawmakers is the best approach to deliberate on this complex area of legislative focus.

We do note that the definition of artificial intelligence in the bill could be clearer, and we ask the committee to use a commonly-accepted definition instead. We respectfully recommend the OECD definition:

"Artificial intelligence" means a machine-based system that, for explicit or implicit objectives, infers, from the input it receives, how to generate outputs such as predictions, content, recommendations, or decisions that can influence physical or virtual environments. Different AI systems vary in their levels of autonomy and adaptiveness after deployment.

(OECD, adopted November 2023)

Thank you for your consideration of our perspective, please contact me if you have any questions regarding our comments at rbarko@technet.org.

Best regards,



Ruthie Barko
Executive Director, Colorado & the Central U.S.
TechNet

Cc: Members of the House Business Affairs and Labor Committee