

HOUSE COMMITTEE OF REFERENCE REPORT

	August 22, 2025
Chair of Committee	Date

Committee on Appropriations.

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

HB25B-1008 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, 6-1-1702, **amend**
4 (1), (2) introductory portion, (3)(a), (4)(a) introductory portion, (5)
5 introductory portion, and (7) as follows:

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

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

22 (3) (a) Except as provided in subsection (6) of this section, a
23 developer that offers, sells, leases, licenses, gives, or otherwise makes
24 available to a deployer or other developer a high-risk artificial
25 intelligence system on or after ~~February 1, 2026~~ OCTOBER 1, 2026, shall
26 make available to the deployer or other developer, to the extent feasible,
27 the documentation and information, through artifacts such as model cards,

1 dataset cards, or other impact assessments, necessary for a deployer, or
2 for a third party contracted by a deployer, to complete an impact
3 assessment pursuant to section 6-1-1703 (3).

4 (4) (a) On and after ~~February 1, 2026~~ OCTOBER 1, 2026, a
5 developer shall make available, in a manner that is clear and readily
6 available on the developer's website or in a public use case inventory, a
7 statement summarizing:

8 (5) On and after ~~February 1, 2026~~ OCTOBER 1, 2026, a developer
9 of a high-risk artificial intelligence system shall disclose to the attorney
10 general, in a form and manner prescribed by the attorney general, and to
11 all known deployers or other developers of the high-risk artificial
12 intelligence system, any known or reasonably foreseeable risks of
13 algorithmic discrimination arising from the intended uses of the high-risk
14 artificial intelligence system without unreasonable delay but no later than
15 ninety days after the date on which:

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

30 **SECTION 2.** In Colorado Revised Statutes, 6-1-1703, **amend** (1),
31 (2)(a) introductory portion, (3)(a), (3)(c), (3)(g), (4)(a) introductory
32 portion, (4)(b) introductory portion, (5)(a) introductory portion, (7), and
33 (9) as follows:

34 **6-1-1703. Deployer duty to avoid algorithmic discrimination**
35 **- risk management policy and program.** (1) On and after ~~February 1,~~
36 ~~2026~~ OCTOBER 1, 2026, a deployer of a high-risk artificial intelligence
37 system shall use reasonable care to protect consumers from any known or
38 reasonably foreseeable risks of algorithmic discrimination. In any
39 enforcement action brought on or after ~~February 1, 2026~~ OCTOBER 1,
40 2026, by the attorney general pursuant to section 6-1-1706, there is a
41 rebuttable presumption that a deployer of a high-risk artificial intelligence
42 system used reasonable care as required under this section if the deployer
43 complied with this section and any additional requirements or obligations

1 as set forth in rules ~~promulgated~~ ADOPTED by the attorney general
2 pursuant to section 6-1-1707.

3 (2) (a) On and after ~~February 1, 2026~~ OCTOBER 1, 2026, and
4 except as provided in subsection (6) of this section, a deployer of a
5 high-risk artificial intelligence system shall implement a risk management
6 policy and program to govern the deployer's deployment of the high-risk
7 artificial intelligence system. The risk management policy and program
8 must specify and incorporate the principles, processes, and personnel that
9 the deployer uses to identify, document, and mitigate known or
10 reasonably foreseeable risks of algorithmic discrimination. The risk
11 management policy and program must be an iterative process planned,
12 implemented, and regularly and systematically reviewed and updated over
13 the life cycle of a high-risk artificial intelligence system, requiring
14 regular, systematic review and updates. A risk management policy and
15 program implemented and maintained pursuant to this subsection (2) must
16 be reasonable considering:

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

19 (I) A deployer, or a third party contracted by the deployer, that
20 deploys a high-risk artificial intelligence system on or after ~~February 1,~~
21 ~~2026~~ OCTOBER 1, 2026, shall complete an impact assessment for the
22 high-risk artificial intelligence system; and

23 (II) On and after ~~February 1, 2026~~ OCTOBER 1, 2026, a deployer,
24 or a third party contracted by the deployer, shall complete an impact
25 assessment for a deployed high-risk artificial intelligence system at least
26 annually and within ninety days after any intentional and substantial
27 modification to the high-risk artificial intelligence system is made
28 available.

29 (c) In addition to the information required under subsection (3)(b)
30 of this section, an impact assessment completed pursuant to this
31 subsection (3) following an intentional and substantial modification to a
32 high-risk artificial intelligence system on or after ~~February 1, 2026~~
33 OCTOBER 1, 2026, must include a statement disclosing the extent to which
34 the high-risk artificial intelligence system was used in a manner that was
35 consistent with, or varied from, the developer's intended uses of the
36 high-risk artificial intelligence system.

37 (g) On or before ~~February 1, 2026~~ OCTOBER 1, 2026, and at least
38 annually thereafter, a deployer, or a third party contracted by the deployer,
39 must review the deployment of each high-risk artificial intelligence
40 system deployed by the deployer to ensure that the high-risk artificial
41 intelligence system is not causing algorithmic discrimination.

42 (4) (a) On and after ~~February 1, 2026~~ OCTOBER 1, 2026, and no
43 later than the time that a deployer deploys a high-risk artificial

1 intelligence system to make, or be a substantial factor in making, a
2 consequential decision concerning a consumer, the deployer shall:

3 (b) On and after ~~February 1, 2026~~ OCTOBER 1, 2026, a deployer
4 that has deployed a high-risk artificial intelligence system to make, or be
5 a substantial factor in making, a consequential decision concerning a
6 consumer shall, if the consequential decision is adverse to the consumer,
7 provide to the consumer:

8 (5) (a) On and after ~~February 1, 2026~~ OCTOBER 1, 2026, and
9 except as provided in subsection (6) of this section, a deployer shall make
10 available, in a manner that is clear and readily available on the deployer's
11 website, a statement summarizing:

12 (7) If a deployer deploys a high-risk artificial intelligence system
13 on or after ~~February 1, 2026~~ OCTOBER 1, 2026, and subsequently
14 discovers that the high-risk artificial intelligence system has caused
15 algorithmic discrimination, the deployer, without unreasonable delay, but
16 no later than ninety days after the date of the discovery, shall send to the
17 attorney general, in a form and manner prescribed by the attorney general,
18 a notice disclosing the discovery.

19 (9) On and after ~~February 1, 2026~~ OCTOBER 1, 2026, the attorney
20 general may require that a deployer, or a third party contracted by the
21 deployer, disclose to the attorney general, no later than ninety days after
22 the request and in a form and manner prescribed by the attorney general,
23 the risk management policy implemented pursuant to subsection (2) of
24 this section, the impact assessment completed pursuant to subsection (3)
25 of this section, or the records maintained pursuant to subsection (3)(f) of
26 this section. The attorney general may evaluate the risk management
27 policy, impact assessment, or records to ensure compliance with this part
28 17, and the risk management policy, impact assessment, and records are
29 not subject to disclosure under the "Colorado Open Records Act", part 2
30 of article 72 of title 24. In a disclosure pursuant to this subsection (9), a
31 deployer may designate the statement or documentation as including
32 proprietary information or a trade secret. To the extent that any
33 information contained in the risk management policy, impact assessment,
34 or records includes information subject to attorney-client privilege or
35 work-product protection, the disclosure does not constitute a waiver of
36 the privilege or protection.

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

39 **6-1-1704. Disclosure of an artificial intelligence system to**
40 **consumer.** (1) On and after ~~February 1, 2026~~ OCTOBER 1, 2026, and
41 except as provided in subsection (2) of this section, a deployer or other
42 developer that deploys, offers, sells, leases, licenses, gives, or otherwise
43 makes available an artificial intelligence system that is intended to

1 interact with consumers shall ensure the disclosure to each consumer who
2 interacts with the artificial intelligence system that the consumer is
3 interacting with an artificial intelligence system.

4 **SECTION 4. Act subject to petition - effective date.** This act
5 takes effect at 12:01 a.m. on the day following the expiration of the
6 ninety-day period after final adjournment of the general assembly; except
7 that, if a referendum petition is filed pursuant to section 1 (3) of article V
8 of the state constitution against this act or an item, section, or part of this
9 act within such period, then the act, item, section, or part will not take
10 effect unless approved by the people at the general election to be held in
11 November 2026 and, in such case, will take effect on the date of the
12 official declaration of the vote thereon by the governor."

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

14 Page 1, line 102, strike "SYSTEMS." and substitute "SYSTEMS BEFORE
15 OCTOBER 1, 2026."."

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