

SENATE COMMITTEE OF REFERENCE AMENDMENT

Committee on Business, Labor, & Technology.

SB25-318 be amended as follows:

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~~ APRIL 14,  
8 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~~ APRIL 14, 2026,  
13 by the attorney general pursuant to section 6-1-1706, there is a rebuttable  
14 presumption that a developer used reasonable care as required under this  
15 section if the developer complied with this section and any additional  
16 requirements or obligations as set forth in rules ~~promulgated~~ ADOPTED by  
17 the attorney general pursuant to section 6-1-1707.

18 (2) On and after ~~February 1, 2026~~ APRIL 14, 2026, and except as  
19 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~~ APRIL 14, 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,  
28 dataset cards, or other impact assessments, necessary for a deployer, or  
29 for a third party contracted by a deployer, to complete an impact  
30 assessment pursuant to section 6-1-1703 (3).

31 (4) (a) On and after ~~February 1, 2026~~ APRIL 14, 2026, a developer  
32 shall make available, in a manner that is clear and readily available on the  
33 developer's website or in a public use case inventory, a statement  
34 summarizing:

35 (5) On and after ~~February 1, 2026~~ APRIL 14, 2026, a developer of  
36 a high-risk artificial intelligence system shall disclose to the attorney  
37 general, in a form and manner prescribed by the attorney general, and to  
38 all known deployers or other developers of the high-risk artificial  
39 intelligence system, any known or reasonably foreseeable risks of  
40 algorithmic discrimination arising from the intended uses of the high-risk  
41 artificial intelligence system without unreasonable delay but no later than  
42 ninety days after the date on which:

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

15 **SECTION 2.** In Colorado Revised Statutes, 6-1-1703, **amend** (1),  
16 (2)(a) introductory portion, (3)(a), (3)(c), (3)(g), (4)(a) introductory  
17 portion, (4)(b) introductory portion, (5)(a) introductory portion, (7), and  
18 (9) as follows:

19 **6-1-1703. Deployer duty to avoid algorithmic discrimination**  
20 **- risk management policy and program.** (1) On and after ~~February 1,~~  
21 ~~2026~~ APRIL 14, 2026, a deployer of a high-risk artificial intelligence  
22 system shall use reasonable care to protect consumers from any known or  
23 reasonably foreseeable risks of algorithmic discrimination. In any  
24 enforcement action brought on or after ~~February 1, 2026~~ APRIL 14, 2026,  
25 by the attorney general pursuant to section 6-1-1706, there is a rebuttable  
26 presumption that a deployer of a high-risk artificial intelligence system  
27 used reasonable care as required under this section if the deployer  
28 complied with this section and any additional requirements or obligations  
29 as set forth in rules ~~promulgated~~ ADOPTED by the attorney general  
30 pursuant to section 6-1-1707.

31 (2) (a) On and after ~~February 1, 2026~~ APRIL 14, 2026, and except  
32 as provided in subsection (6) of this section, a deployer of a high-risk  
33 artificial intelligence system shall implement a risk management policy  
34 and program to govern the deployer's deployment of the high-risk  
35 artificial intelligence system. The risk management policy and program  
36 must specify and incorporate the principles, processes, and personnel that  
37 the deployer uses to identify, document, and mitigate known or  
38 reasonably foreseeable risks of algorithmic discrimination. The risk  
39 management policy and program must be an iterative process planned,  
40 implemented, and regularly and systematically reviewed and updated over  
41 the life cycle of a high-risk artificial intelligence system, requiring  
42 regular, systematic review and updates. A risk management policy and  
43 program implemented and maintained pursuant to this subsection (2) must  
44 be reasonable considering:

45 (3) (a) Except as provided in subsections (3)(d), (3)(e), and (6) of

1 this section:

2 (I) A deployer, or a third party contracted by the deployer, that  
3 deploys a high-risk artificial intelligence system on or after ~~February 1,~~  
4 ~~2026~~ APRIL 14, 2026, shall complete an impact assessment for the  
5 high-risk artificial intelligence system; and

6 (II) On and after ~~February 1, 2026~~ APRIL 14, 2026, a deployer, or  
7 a third party contracted by the deployer, shall complete an impact  
8 assessment for a deployed high-risk artificial intelligence system at least  
9 annually and within ninety days after any intentional and substantial  
10 modification to the high-risk artificial intelligence system is made  
11 available.

12 (c) In addition to the information required under subsection (3)(b)  
13 of this section, an impact assessment completed pursuant to this  
14 subsection (3) following an intentional and substantial modification to a  
15 high-risk artificial intelligence system on or after ~~February 1, 2026~~ APRIL  
16 14, 2026, must include a statement disclosing the extent to which the  
17 high-risk artificial intelligence system was used in a manner that was  
18 consistent with, or varied from, the developer's intended uses of the  
19 high-risk artificial intelligence system.

20 (g) On or before ~~February 1, 2026~~ APRIL 14, 2026, and at least  
21 annually thereafter, a deployer, or a third party contracted by the deployer,  
22 must review the deployment of each high-risk artificial intelligence  
23 system deployed by the deployer to ensure that the high-risk artificial  
24 intelligence system is not causing algorithmic discrimination.

25 (4) (a) On and after ~~February 1, 2026~~ APRIL 14, 2026, and no later  
26 than the time that a deployer deploys a high-risk artificial intelligence  
27 system to make, or be a substantial factor in making, a consequential  
28 decision concerning a consumer, the deployer shall:

29 (b) On and after ~~February 1, 2026~~ APRIL 14, 2026, a deployer that  
30 has deployed a high-risk artificial intelligence system to make, or be a  
31 substantial factor in making, a consequential decision concerning a  
32 consumer shall, if the consequential decision is adverse to the consumer,  
33 provide to the consumer:

34 (5) (a) On and after ~~February 1, 2026~~ APRIL 14, 2026, and except  
35 as provided in subsection (6) of this section, a deployer shall make  
36 available, in a manner that is clear and readily available on the deployer's  
37 website, a statement summarizing:

38 (7) If a deployer deploys a high-risk artificial intelligence system  
39 on or after ~~February 1, 2026~~ APRIL 14, 2026, and subsequently discovers  
40 that the high-risk artificial intelligence system has caused algorithmic  
41 discrimination, the deployer, without unreasonable delay, but no later than  
42 ninety days after the date of the discovery, shall send to the attorney  
43 general, in a form and manner prescribed by the attorney general, a notice  
44 disclosing the discovery.

45 (9) On and after ~~February 1, 2026~~ APRIL 14, 2026, the attorney

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

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

20 **6-1-1704. Disclosure of an artificial intelligence system to**  
21 **consumer.** (1) On and after ~~February 1, 2026~~ APRIL 14, 2026, and except  
22 as provided in subsection (2) of this section, a deployer or other developer  
23 that deploys, offers, sells, leases, licenses, gives, or otherwise makes  
24 available an artificial intelligence system that is intended to interact with  
25 consumers shall ensure the disclosure to each consumer who interacts  
26 with the artificial intelligence system that the consumer is interacting with  
27 an artificial intelligence system.

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

37 Amend printed bill, page 1, strike lines 101 and 102 and substitute:

38 "**CONCERNING CHANGING DEADLINES RELATED TO CONSUMER**  
39 **PROTECTIONS IN INTERACTIONS WITH ARTIFICIAL INTELLIGENCE**  
40 **SYSTEMS TO APRIL 14, 2026.**".

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