

HOUSE BILL 1174

P1, S1

4r0501
CF SB 955

By: Delegates Hill, Guzzone, Howard, Qi, ~~and Wu~~ Wu, Alston, Bagnall, Bhandari, Chisholm, Cullison, Hutchinson, S. Johnson, Kaiser, Kerr, Kipke, R. Lewis, Martinez, M. Morgan, Pena-Melnyk, Reilly, Rosenberg, Szeliga, Taveras, White Holland, and Woods

Introduced and read first time: February 7, 2024
Assigned to: Health and Government Operations

Committee Report: Favorable with amendments
House action: Adopted
Read second time: March 5, 2024

CHAPTER _____

1 AN ACT concerning

2 **State Government – Technology Advisory Commission – Established**

3 FOR the purpose of establishing the Technology Advisory Commission to study and make
4 recommendations on technology and science in the State; and generally relating to
5 the Technology Advisory Commission.

6 BY adding to

7 Article – State Government

8 Section 9–3801 and 9–3802 to be under the new subtitle “Subtitle 38. Technology
9 Advisory Commission”

10 Annotated Code of Maryland

11 (2021 Replacement Volume and 2023 Supplement)

12 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
13 That the Laws of Maryland read as follows:

14 **Article – State Government**

15 **SUBTITLE 38. TECHNOLOGY ADVISORY COMMISSION.**

16 **9–3801.**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



- 1 (IV) GOVERNANCE;
- 2 (V) PRIVACY;
- 3 (VI) ADAPTABILITY;
- 4 (VII) INCLUSIVITY AND FAIRNESS;
- 5 (VIII) TRANSPARENCY; AND
- 6 (IX) ENVIRONMENTAL AND SOCIAL IMPACT.

7 **9-3802.**

8 (A) THERE IS A TECHNOLOGY ADVISORY COMMISSION.

9 (B) THE COMMISSION CONSISTS OF:

10 (1) THE FOLLOWING INTERDISCIPLINARY MEMBERS WITH AN
11 EXPERTISE IN SCIENCE AND TECHNOLOGY:

12 (I) ONE REPRESENTATIVE OF THE UNIVERSITY OF MARYLAND,
13 BALTIMORE COUNTY, DESIGNATED BY THE PRESIDENT OF THE UNIVERSITY;

14 (II) ONE REPRESENTATIVE OF THE UNIVERSITY OF MARYLAND,
15 COLLEGE PARK CAMPUS, DESIGNATED BY THE PRESIDENT OF THE UNIVERSITY;

16 (III) ONE REPRESENTATIVE OF THE UNIVERSITY OF MARYLAND,
17 BALTIMORE CAMPUS, DESIGNATED BY THE PRESIDENT OF THE UNIVERSITY;

18 (IV) ONE REPRESENTATIVE OF THE CENTER FOR EQUITABLE
19 ARTIFICIAL INTELLIGENCE AND MACHINE LEARNING SYSTEMS AT MORGAN STATE
20 UNIVERSITY, DESIGNATED BY THE PRESIDENT OF THE UNIVERSITY;

21 (V) ONE REPRESENTATIVE OF THE JOHNS HOPKINS
22 UNIVERSITY, DESIGNATED BY THE PRESIDENT OF THE UNIVERSITY, OR THE
23 PRESIDENT'S DESIGNEE;

24 (VI) ONE REPRESENTATIVE OF TOWSON UNIVERSITY,
25 DESIGNATED BY THE PRESIDENT OF THE UNIVERSITY;

26 (VII) ONE REPRESENTATIVE OF FROSTBURG STATE UNIVERSITY,
27 DESIGNATED BY THE PRESIDENT OF THE UNIVERSITY;

1 (VIII) ONE REPRESENTATIVE OF THE UNIVERSITY OF MARYLAND
2 EASTERN SHORE, DESIGNATED BY THE PRESIDENT OF THE UNIVERSITY;

3 (IX) ONE REPRESENTATIVE OF BOWIE STATE UNIVERSITY,
4 DESIGNATED BY THE PRESIDENT OF THE UNIVERSITY;

5 (X) ONE REPRESENTATIVE OF COPPIN STATE UNIVERSITY,
6 DESIGNATED BY THE PRESIDENT OF THE UNIVERSITY;

7 (XI) ONE REPRESENTATIVE OF THE UNITED STATES NAVAL
8 ACADEMY, DESIGNATED BY THE SUPERINTENDENT OF THE NAVAL ACADEMY;

9 (XII) ONE REPRESENTATIVE OF THE MARYLAND ASSOCIATION
10 OF COMMUNITY COLLEGES, DESIGNATED BY THE EXECUTIVE DIRECTOR OF THE
11 ASSOCIATION;

12 (XIII) ONE REPRESENTATIVE OF THE JOHNS HOPKINS
13 UNIVERSITY APPLIED PHYSICS LAB, DESIGNATED BY THE DIRECTOR OF THE LAB;

14 (XIV) ONE REPRESENTATIVE OF THE MARYLAND TECHNOLOGY
15 COUNCIL, DESIGNATED BY THE CHAIR OF THE COUNCIL;

16 (XV) ONE REPRESENTATIVE OF THE MARYLAND CHAMBER OF
17 COMMERCE, DESIGNATED BY THE MARYLAND CHAMBER OF COMMERCE; ~~AND~~

18 (XVI) ONE REPRESENTATIVE OF THE HILLTOP INSTITUTE AT THE
19 UNIVERSITY OF MARYLAND, BALTIMORE COUNTY, DESIGNATED BY THE
20 EXECUTIVE DIRECTOR OF THE INSTITUTE;

21 (XVII) ONE REPRESENTATIVE OF THE CENTER FOR APPLIED AI
22 AT THE UNIVERSITY OF MARYLAND, BALTIMORE COUNTY, DESIGNATED BY THE
23 EXECUTIVE DIRECTOR OF THE CENTER; AND

24 (XVIII) ONE REPRESENTATIVE OF THE MARYLAND
25 INSURANCE ADMINISTRATION, DESIGNATED BY THE COMMISSIONER OF THE
26 ADMINISTRATION;

27 (2) THE PRESIDENT OF THE CHESAPEAKE REGIONAL INFORMATION
28 SYSTEM FOR OUR PATIENTS, OR THE PRESIDENT'S DESIGNEE;

29 (3) THE SECRETARY OF INFORMATION TECHNOLOGY, OR THE
30 SECRETARY'S DESIGNEE;

1 (4) ONE REPRESENTATIVE OF THE DEPARTMENT OF HUMAN
2 SERVICES WITH EXPERIENCE IN THE MARYLAND TOTAL HUMAN SERVICES
3 INTEGRATED NETWORK (THINK) PLATFORM, DESIGNATED BY THE SECRETARY OF
4 HUMAN SERVICES;

5 (5) THE SECRETARY OF TRANSPORTATION, OR THE SECRETARY'S
6 DESIGNEE;

7 (6) THE SECRETARY OF HEALTH, OR THE SECRETARY'S DESIGNEE;

8 (7) ONE REPRESENTATIVE OF THE OFFICE OF MINORITY HEALTH
9 AND HEALTH DISPARITIES, DESIGNATED BY THE SECRETARY OF HEALTH;

10 (8) ONE REPRESENTATIVE OF THE INFORMATION TECHNOLOGY
11 ADVISORY COUNCIL, DESIGNATED BY THE SECRETARY OF INFORMATION
12 TECHNOLOGY;

13 (9) ONE REPRESENTATIVE OF THE DIVISION OF PAROLE AND
14 PROBATION, DESIGNATED BY THE SECRETARY OF PUBLIC SAFETY AND
15 CORRECTIONAL SERVICES;

16 (10) ONE REPRESENTATIVE OF THE OFFICE OF INVESTIGATION,
17 INTELLIGENCE, AND FUGITIVE APPREHENSION, DESIGNATED BY THE SECRETARY
18 OF PUBLIC SAFETY AND CORRECTIONAL SERVICES;

19 (11) ONE REPRESENTATIVE OF THE STATE ADVISORY BOARD FOR
20 JUVENILE SERVICES, DESIGNATED BY THE SECRETARY OF JUVENILE SERVICES;

21 (12) THE ATTORNEY GENERAL, OR THE ATTORNEY GENERAL'S
22 DESIGNEE;

23 (13) THE PUBLIC DEFENDER, OR THE PUBLIC DEFENDER'S
24 DESIGNEE; AND

25 (14) THE CHIEF ATTORNEY OF THE LEGAL AID BUREAU, OR THE
26 CHIEF ATTORNEY'S DESIGNEE.

27 (c) (1) THE REPRESENTATIVE OF THE CENTER FOR EQUITABLE
28 ARTIFICIAL INTELLIGENCE AND MACHINE LEARNING SYSTEMS AT MORGAN STATE
29 UNIVERSITY SHALL SERVE AS THE CHAIR OF THE COMMISSION.

30 (2) THE REPRESENTATIVE OF THE CENTER FOR APPLIED AI AT THE
31 UNIVERSITY OF MARYLAND, BALTIMORE COUNTY SHALL SERVE AS THE VICE CHAIR
32 OF THE COMMISSION.

1 (D) THE CENTER FOR EQUITABLE ARTIFICIAL INTELLIGENCE AND
2 MACHINE LEARNING SYSTEMS AT MORGAN STATE UNIVERSITY SHALL PROVIDE
3 STAFF FOR THE COMMISSION.

4 (E) A MEMBER OF THE COMMISSION:

5 (1) MAY NOT RECEIVE COMPENSATION AS A MEMBER OF THE
6 COMMISSION; BUT

7 (2) IS ENTITLED TO REIMBURSEMENT FOR EXPENSES UNDER THE
8 STANDARD STATE TRAVEL REGULATIONS, AS PROVIDED IN THE STATE BUDGET.

9 (F) (1) THE COMMISSION SHALL:

10 (I) ADVISE THE ARTIFICIAL INTELLIGENCE SUBCABINET OF
11 THE GOVERNOR'S EXECUTIVE COUNCIL ON TECHNOLOGY AND SCIENCE
12 DEVELOPMENTS;

13 (II) MAKE RECOMMENDATIONS ON THE RESPONSIBLE AND
14 PRODUCTIVE USE OF ALGORITHMIC DECISION SYSTEMS IN THE STATE AND HOW
15 SYSTEMS CAN BE IMPLEMENTED CONSISTENT WITH THE VALUES OF THE STATE;

16 (III) REVIEW AND MAKE RECOMMENDATIONS ON ALGORITHMIC
17 DECISION SYSTEM POLICIES OF THE ARTIFICIAL INTELLIGENCE SUBCABINET OF
18 THE GOVERNOR'S EXECUTIVE COUNCIL;

19 (IV) PROVIDE INSIGHT, EVALUATIONS, AND
20 RECOMMENDATIONS, ~~AND OVERSIGHT~~ REGARDING THE DEVELOPMENT AND
21 APPLICATION OF ALGORITHMIC DECISION SYSTEMS, MACHINE LEARNING,
22 ASSOCIATED ALGORITHMS, AND TECHNOLOGY IN THE STATE;

23 (V) ESTABLISH WORKGROUPS TO STUDY AND MAKE
24 RECOMMENDATIONS ON:

25 1. CLARIFYING AND PRACTICING RESPONSIBLE
26 ARTIFICIAL INTELLIGENCE IN OPERATIONS, PROCUREMENT, AND POLICY AND
27 DEFINING A CODE OF ETHICS FOR ITS INTEGRATION AND USE;

28 2. THE DEVELOPMENT AND APPLICATION OF
29 ALGORITHMIC DECISION SYSTEMS AND MACHINE LEARNING TECHNOLOGY BY
30 STATE GOVERNMENT;

1 **3. THE CONCORDANCE BETWEEN EVOLVING**
2 **TECHNOLOGY AND REGULATIONS RELATED TO STATE LICENSING AND**
3 **CERTIFICATION, IDENTIFYING:**

4 **A. WAYS FOR REGULATORY BOARDS TO KEEP UP WITH**
5 **EMERGING TECHNOLOGY TO DETERMINE AND APPROPRIATELY ALIGN PERMITTED**
6 **USE OF, AND LEVEL OF SUPERVISION FOR, NEW TECHNOLOGY;**

7 **B. THE RISKS FOR PHYSICAL HARM TO CONSUMERS**
8 **ASSOCIATED WITH THE USE OF THE NEW TECHNOLOGY; AND**

9 **C. LICENSEE CATEGORIES WHOSE MEMBERS HAVE THE**
10 **NECESSARY SKILLS, EDUCATION, AND ABILITY TO MINIMIZE AND ADDRESS HARM**
11 **THAT MAY OCCUR; AND**

12 **4. ALGORITHMIC CHALLENGES, REDRESSAL, AND**
13 **OTHER TECHNIQUES DESIGNED TO CREATE EQUITABLE, ETHICAL, GOVERNABLE,**
14 **TRANSPARENT, RESPONSIBLE, AND TRUSTWORTHY SYSTEMS; AND**

15 **(VI) BE AVAILABLE TO PROVIDE GUIDANCE AT THE REQUEST OF**
16 **ANY UNIT OF STATE GOVERNMENT, COUNTY BOARD OF EDUCATION, THE MARYLAND**
17 **JUDICIARY, OR THE GENERAL ASSEMBLY REGARDING ISSUES WITHIN THE**
18 **COMMISSION'S EXPERTISE.**

19 **(2) NOTHING IN THIS SUBSECTION SHALL BE CONSTRUED TO**
20 **REQUIRE A VENDOR TO:**

21 **(I) DISCLOSE PROPRIETARY INFORMATION TO THE PUBLIC; OR**

22 **(II) COMPROMISE THE PROTECTION OF THE VENDOR'S**
23 **INTELLECTUAL PROPERTY RIGHTS.**

24 ~~**(G) FOR EACH FISCAL YEAR, THE GOVERNOR SHALL INCLUDE IN THE**~~
25 ~~**ANNUAL BUDGET BILL AN APPROPRIATION OF \$100,000 TO THE COMMISSION.**~~

26 ~~**(H)**~~ **(G) ON OR BEFORE DECEMBER 31 EACH YEAR, THE COMMISSION**
27 **SHALL SUBMIT A REPORT ON ITS ACTIVITIES AND RECOMMENDATIONS TO THE**
28 **GOVERNOR AND, IN ACCORDANCE WITH § 2-1257 OF THIS ARTICLE, THE GENERAL**
29 **ASSEMBLY.**

30 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July
31 1, 2024.