

# SENATE BILL 955

P1, S1

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CF 4lr0501

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By: **Senator Sydnor**

Introduced and read first time: February 2, 2024

Assigned to: Education, Energy, and the Environment

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## A BILL ENTITLED

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.**

17 **(A) IN THIS SUBTITLE THE FOLLOWING WORDS HAVE THE MEANINGS**  
18 **INDICATED.**

19 **(B) (1) “ALGORITHMIC DECISION SYSTEM” MEANS ANY COMPUTATIONAL**  
20 **OR AUTOMATED PROCESS THAT AIDS IN DECISION MAKING.**

21 **(2) “ALGORITHMIC DECISION SYSTEM” INCLUDES:**

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



- 1                   **(I) PROCESSES THAT EMPLOY:**
- 2                           **1. ALGORITHMS;**
- 3                           **2. STATISTICAL ANALYSIS;**
- 4                           **3. DATA PROCESSING; AND**
- 5                           **4. ADVANCED COMPUTATIONAL TECHNIQUES;**
- 6                   **(II) MACHINE-BASED DECISION SYSTEMS;**
- 7                   **(III) STATISTICAL DECISION SYSTEMS;**
- 8                   **(IV) BIOMETRIC DECISION SYSTEMS;**
- 9                   **(V) QUANTUM DECISION SYSTEMS; AND**
- 10                   **(VI) HYBRID DECISION SYSTEMS.**

11           **(C) “COMMISSION” MEANS THE TECHNOLOGY ADVISORY COMMISSION.**

12           **(D) (1) “RESPONSIBLE ARTIFICIAL INTELLIGENCE” MEANS THE**  
13 **ETHICAL, TRANSPARENT, AND ACCOUNTABLE DESIGN, DEVELOPMENT, AND**  
14 **DEPLOYMENT OF ALGORITHMIC DECISION SYSTEMS AND RELATED TECHNOLOGIES**  
15 **INCORPORATING PRINCIPLES AND PRACTICES AIMED AT ACHIEVING BENEFICIAL,**  
16 **INCLUSIVE, AND SUSTAINABLE OUTCOMES FOR INDIVIDUALS, SOCIETY, AND THE**  
17 **ENVIRONMENT WHILE ADAPTING TO EVOLVING TECHNOLOGICAL PARADIGMS.**

18                   **(2) “RESPONSIBLE ARTIFICIAL INTELLIGENCE” INCLUDES**  
19 **PRACTICES RELATED TO:**

- 20                           **(I) ETHICAL INTENTIONS;**
- 21                           **(II) HUMAN EMPOWERMENT;**
- 22                           **(III) TRUST AND ACCOUNTABILITY;**
- 23                           **(IV) GOVERNANCE;**
- 24                           **(V) PRIVACY;**
- 25                           **(VI) ADAPTABILITY;**

1 (VII) INCLUSIVITY AND FAIRNESS;

2 (VIII) TRANSPARENCY; AND

3 (IX) ENVIRONMENTAL AND SOCIAL IMPACT.

4 **9-3802.**

5 (A) THERE IS A TECHNOLOGY ADVISORY COMMISSION.

6 (B) THE COMMISSION CONSISTS OF:

7 (1) THE FOLLOWING INTERDISCIPLINARY MEMBERS WITH AN  
8 EXPERTISE IN SCIENCE AND TECHNOLOGY:

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

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

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

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

18 (V) ONE REPRESENTATIVE OF THE JOHNS HOPKINS  
19 UNIVERSITY, DESIGNATED BY THE PRESIDENT OF THE UNIVERSITY, OR THE  
20 PRESIDENT'S DESIGNEE;

21 (VI) ONE REPRESENTATIVE OF TOWSON UNIVERSITY,  
22 DESIGNATED BY THE PRESIDENT OF THE UNIVERSITY;

23 (VII) ONE REPRESENTATIVE OF FROSTBURG STATE UNIVERSITY,  
24 DESIGNATED BY THE PRESIDENT OF THE UNIVERSITY;

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

27 (IX) ONE REPRESENTATIVE OF BOWIE STATE UNIVERSITY,

1 DESIGNATED BY THE PRESIDENT OF THE UNIVERSITY;

2 (X) ONE REPRESENTATIVE OF COPPIN STATE UNIVERSITY,  
3 DESIGNATED BY THE PRESIDENT OF THE UNIVERSITY;

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

6 (XII) ONE REPRESENTATIVE OF THE MARYLAND ASSOCIATION  
7 OF COMMUNITY COLLEGES, DESIGNATED BY THE EXECUTIVE DIRECTOR OF THE  
8 ASSOCIATION;

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

11 (XIV) ONE REPRESENTATIVE OF THE MARYLAND TECHNOLOGY  
12 COUNCIL, DESIGNATED BY THE CHAIR OF THE COUNCIL;

13 (XV) ONE REPRESENTATIVE OF THE MARYLAND CHAMBER OF  
14 COMMERCE, DESIGNATED BY THE MARYLAND CHAMBER OF COMMERCE; AND

15 (XVI) ONE REPRESENTATIVE OF THE HILLTOP INSTITUTE AT THE  
16 UNIVERSITY OF MARYLAND, BALTIMORE COUNTY, DESIGNATED BY THE  
17 EXECUTIVE DIRECTOR OF THE INSTITUTE;

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

20 (3) THE SECRETARY OF INFORMATION TECHNOLOGY, OR THE  
21 SECRETARY'S DESIGNEE;

22 (4) ONE REPRESENTATIVE OF THE DEPARTMENT OF HUMAN  
23 SERVICES WITH EXPERIENCE IN THE MARYLAND TOTAL HUMAN SERVICES  
24 INTEGRATED NETWORK (THINK) PLATFORM, DESIGNATED BY THE SECRETARY OF  
25 HUMAN SERVICES;

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

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

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

1           **(8) ONE REPRESENTATIVE OF THE INFORMATION TECHNOLOGY**  
2 **ADVISORY COUNCIL, DESIGNATED BY THE SECRETARY OF INFORMATION**  
3 **TECHNOLOGY;**

4           **(9) ONE REPRESENTATIVE OF THE DIVISION OF PAROLE AND**  
5 **PROBATION, DESIGNATED BY THE SECRETARY OF PUBLIC SAFETY AND**  
6 **CORRECTIONAL SERVICES;**

7           **(10) ONE REPRESENTATIVE OF THE OFFICE OF INVESTIGATION,**  
8 **INTELLIGENCE, AND FUGITIVE APPREHENSION, DESIGNATED BY THE SECRETARY**  
9 **OF PUBLIC SAFETY AND CORRECTIONAL SERVICES;**

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

12           **(12) THE ATTORNEY GENERAL, OR THE ATTORNEY GENERAL'S**  
13 **DESIGNEE;**

14           **(13) THE PUBLIC DEFENDER, OR THE PUBLIC DEFENDER'S**  
15 **DESIGNEE; AND**

16           **(14) THE CHIEF ATTORNEY OF THE LEGAL AID BUREAU, OR THE**  
17 **CHIEF ATTORNEY'S DESIGNEE.**

18           **(C) THE REPRESENTATIVE OF THE CENTER FOR EQUITABLE ARTIFICIAL**  
19 **INTELLIGENCE AND MACHINE LEARNING SYSTEMS AT MORGAN STATE**  
20 **UNIVERSITY SHALL SERVE AS THE CHAIR OF THE COMMISSION.**

21           **(D) THE CENTER FOR EQUITABLE ARTIFICIAL INTELLIGENCE AND**  
22 **MACHINE LEARNING SYSTEMS AT MORGAN STATE UNIVERSITY SHALL PROVIDE**  
23 **STAFF FOR THE COMMISSION.**

24           **(E) A MEMBER OF THE COMMISSION:**

25           **(1) MAY NOT RECEIVE COMPENSATION AS A MEMBER OF THE**  
26 **COMMISSION; BUT**

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

29           **(F) (1) THE COMMISSION SHALL:**

1                   **(I) ADVISE THE ARTIFICIAL INTELLIGENCE SUBCABINET OF**  
2 **THE GOVERNOR’S EXECUTIVE COUNCIL ON TECHNOLOGY AND SCIENCE**  
3 **DEVELOPMENTS;**

4                   **(II) MAKE RECOMMENDATIONS ON THE RESPONSIBLE AND**  
5 **PRODUCTIVE USE OF ALGORITHMIC DECISION SYSTEMS IN THE STATE AND HOW**  
6 **SYSTEMS CAN BE IMPLEMENTED CONSISTENT WITH THE VALUES OF THE STATE;**

7                   **(III) REVIEW AND MAKE RECOMMENDATIONS ON ALGORITHMIC**  
8 **DECISION SYSTEM POLICIES OF THE ARTIFICIAL INTELLIGENCE SUBCABINET OF**  
9 **THE GOVERNOR’S EXECUTIVE COUNCIL;**

10                   **(IV) PROVIDE INSIGHT, EVALUATIONS, RECOMMENDATIONS,**  
11 **AND OVERSIGHT REGARDING THE DEVELOPMENT AND APPLICATION OF**  
12 **ALGORITHMIC DECISION SYSTEMS, MACHINE LEARNING, ASSOCIATED ALGORITHMS,**  
13 **AND TECHNOLOGY IN THE STATE;**

14                   **(V) ESTABLISH WORKGROUPS TO STUDY AND MAKE**  
15 **RECOMMENDATIONS ON:**

16                   **1. CLARIFYING AND PRACTICING RESPONSIBLE**  
17 **ARTIFICIAL INTELLIGENCE IN OPERATIONS, PROCUREMENT, AND POLICY AND**  
18 **DEFINING A CODE OF ETHICS FOR ITS INTEGRATION AND USE;**

19                   **2. THE DEVELOPMENT AND APPLICATION OF**  
20 **ALGORITHMIC DECISION SYSTEMS AND MACHINE LEARNING TECHNOLOGY BY**  
21 **STATE GOVERNMENT;**

22                   **3. THE CONCORDANCE BETWEEN EVOLVING**  
23 **TECHNOLOGY AND REGULATIONS RELATED TO STATE LICENSING AND**  
24 **CERTIFICATION, IDENTIFYING:**

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

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

30                   **C. LICENSEE CATEGORIES WHOSE MEMBERS HAVE THE**  
31 **NECESSARY SKILLS, EDUCATION, AND ABILITY TO MINIMIZE AND ADDRESS HARM**  
32 **THAT MAY OCCUR; AND**

1                   4.    ALGORITHMIC CHALLENGES, REDRESSAL, AND  
2 OTHER TECHNIQUES DESIGNED TO CREATE EQUITABLE, ETHICAL, GOVERNABLE,  
3 TRANSPARENT, RESPONSIBLE, AND TRUSTWORTHY SYSTEMS; AND

4                   (VI) BE AVAILABLE TO PROVIDE GUIDANCE AT THE REQUEST OF  
5 ANY UNIT OF STATE GOVERNMENT, COUNTY BOARD OF EDUCATION, THE MARYLAND  
6 JUDICIARY, OR THE GENERAL ASSEMBLY REGARDING ISSUES WITHIN THE  
7 COMMISSION’S EXPERTISE.

8                   (2) NOTHING IN THIS SUBSECTION SHALL BE CONSTRUED TO  
9 REQUIRE A VENDOR TO:

10                   (I) DISCLOSE PROPRIETARY INFORMATION TO THE PUBLIC; OR

11                   (II) COMPROMISE THE PROTECTION OF THE VENDOR’S  
12 INTELLECTUAL PROPERTY RIGHTS.

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

15                   (H) ON OR BEFORE DECEMBER 31 EACH YEAR, THE COMMISSION SHALL  
16 SUBMIT A REPORT ON ITS ACTIVITIES AND RECOMMENDATIONS TO THE GOVERNOR  
17 AND, IN ACCORDANCE WITH § 2-1257 OF THIS ARTICLE, THE GENERAL ASSEMBLY.

18                   SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July  
19 1, 2024.