DRAFT ONLY
NOT APPROVED FOR INTRODUCTION

HOUSE BILL NO.

Regulation of AI automated decision-making systems.

Sponsored by: Select Committee on Blockchain, Financial Technology and Digital Innovation Technology

A BILL

for

AN ACT relating to the administration of the government; regulating the use of artificial intelligence automated decision-making systems by governmental entities; providing definitions; specifying applicability; and providing for an effective date.

Be It Enacted by the Legislature of the State of Wyoming:

Section 1. W.S. 9-30-101 and 9-30-102 are created to read:

CHAPTER 30

REGULATION OF ARTIFICIAL INTELLIGENCE AUTOMATED DECISION-MAKING SYSTEMS

9-30-101. Definitions.

(a) As used in this chapter:

(i) "Artificial intelligence system" means any machine-based system that, for an explicit or implicit objective, infers from the inputs the system receives how to generate outputs, including content, decisions, predictions or recommendations that can influence physical or virtual environments;

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STAFF COMMENT

This definition of "artificial intelligence" is the same as Colorado (Colo. Rev. Stat. 6-1-1701(2)) and Texas (Tex. Bus. & Com. Code § 551.001(1)). Please advise if the Select Committee would prefer a different definition.

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(ii) "Automated decision-making system" means any software that uses algorithms, computational models or

artificial intelligence systems, or a combination thereof, to autonomously make a consequential decision;

(iii) "Consequential decision" means a decision or determination that results in the approval, denial, determination of, eligibility for, selection for, access to, modification, suspension or termination of a person's rights, benefits or obligations provided by law;

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STAFF COMMENT

The Select Committee may wish to consider the following:

- **The current definition of consequential decision does not include a list of covered decision types (e.g. licensing, public benefits, employment, health care decisions, parole etc). The Select Committee may wish to consider whether to add a non-exhaustive list.**
- **The phrase "provided by law" would narrow the definition to decisions affecting interests that are created, defined or governed by law and may exclude decisions made by a governmental entity that are not expressly provided by law, including some competitive grants or programs that are not grounded in the law.**

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(iv) "Governmental entity" means the state and all its branches, agencies, departments, commissions, institutions, instrumentalities and all political subdivisions, including any county, city, town, school

district, special district, joint powers board, community college and the University of Wyoming;

(v) "Meaningful human review" means an independent review of an automated decision generated by an automated decision-making system that is made by a natural person who:

(A) Is employed by the governmental entity;

(B) Is trained in the use, risks and limitations of the automated decision-making system;

(C) Has the authority to intervene or alter the automated decision under review, including the authority to approve, deny or modify any automated decision made by the automated decision-making system;

(D) Exercises independent judgment and does not solely rely on or defer to the outputs of the automated decision-making system.

9-30-102. Use of automated decision-making systems.

(a) No governmental entity shall use an automated decision-making system, whether developed internally or procured from or operated by a third party, to make or cause to be made a consequential decision without meaningful human review.

(b) Each governmental entity shall maintain records identifying the natural person who conducted and is responsible for the meaningful human review required under subsection (a) of this section for each consequential decision made or caused to be made using an automated decision-making system.

(c) Nothing in subsection (a) of this section shall be construed to prohibit a governmental entity from using an automated decision-making system, whether developed internally or procured from or operated by a third party, to support, assist or inform the governmental entity in making a consequential decision as long as the consequential decision is subject to meaningful human review after the automated decision-making system is used.

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STAFF COMMENT

The Select Committee may wish to consider the following:

- **Whether to require a governmental entity to provide notice to a person when an automated decision-making system is used in connection with a consequential decision.**
- **Whether to allow a person subject to a consequential decision to request that the governmental entity provide a general explanation of the role an automated decision-making system plays in a consequential decision.**
- **Whether to require a governmental entity to maintain records of when automated decision-making systems are used, the level of human involvement, and what consequential decisions are affected.**

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Section 2. Nothing in this act shall be construed to modify or impair existing contracts or obligations regarding automated decision-making systems executed before July 1, 2027.

Section 3. This act is effective July 1, 2027.

(END)