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March 20, 2025

Honorable Senators
Senate Finance Committee
Miller Senate Office Building
11 Bladen St, Annapolis, MD 21401

Re: H.B. 956 - Necessary and Commonsense Amendment Request

Dear Honorable Senators of the Finance Committee,

Thank you for your attention to the urgent issue of AI regulation this session. While the undersigned groups appreciate the intent of H.B. 956, it is critical that consumer protection and civil rights advocates, labor leaders, independent academics and ethicists, and representatives from state agencies that regulate industries where AI has a massive consumer impact are included in conversations about how Maryland should approach regulating AI. As currently written, the workgroup is made up almost entirely of industry and business representatives. Because it lacks civil society and expert academic voices, the working group outlined in this bill would be **unable to do critical analysis of the needs of Marylanders, and we fear there would be an insurmountable bias toward regulation that benefits companies instead of protecting Marylanders.**

The use of AI impacts Marylanders throughout their daily lives, and the makeup of the workgroup must reflect that. Workgroup and task force bills on AI throughout the country, including New York, Vermont, Connecticut, Colorado, and more,¹ recognize this need for balanced stakeholder involvement by including ACLU, AFL-CIO, academic, and other public interest representatives explicitly in their workgroups. Adding representatives from labor, civil rights, consumer protection, and privacy organizations will ensure there are voices focused on protecting Marylanders' rights involved in important discussions about the future of AI in the state.

Specifically, we offer the following recommendations for makeup of the workgroup:

¹ H.B. 24-1468, 2024 Gen. Assemb., Reg. Sess. (Colo. 2024); H. 378, 2017-2018 Gen. Assemb., Reg. Sess. (Vt. 2018); S.B. 2, 2025 Gen. Assemb., Reg. Sess. (Conn. pending bill), https://www.cga.ct.gov/asp/CGABillStatus/cgabillstatus.asp?selBillType=Bill&bill_num=SB2; *Members*, NYC Automated Decision Systems Task Force (2018), <https://www.nyc.gov/site/adstaskforce/members/members.page>.

- **Recommendation 1:** Reduce the number of representatives from each category listed in (B)(5) of the bill by one representative, **and** add an equal number of public interest representatives, including:
 - Two representatives from non-profit organizations focusing on data privacy;
 - Two representatives from labor unions operating in the state;
 - Two representatives from non-profit organizations focusing on civil rights and liberties;
 - Two representatives from non-profit organizations focused on consumer protection;
 - Two members of academic faculty from the state that are experts in the development, operation of, and social implications of data science, artificial intelligence, or machine learning, to be appointed by the governor; and
 - Two academic or government technologists that specialize in and are able to interpret source code, consider technological development workflows, and consult regarding validation, to be appointed by the governor.
- **Recommendation 2:** Alternatively, if the Legislature prefers the size of the working group to remain closer to what was originally drafted, the number of representatives from each of these categories and the categories currently set out in the bill can be further scaled down, as long as the number of representatives from public interest groups remains equal to the number of representatives from industry-associated entities and organizations.

Thank you for your time and attention to this important issue. If you have any questions when working to integrate these recommendations or have any questions, don't hesitate to reach out to us at williams@epic.org and bwinters@consumerfed.org.

Sincerely,

Center for Democracy & Technology
Consumer Federation of America
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