

HOUSE BILL 1359

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By: **Delegates Hill and Prettyman**

Introduced and read first time: February 11, 2022

Assigned to: Appropriations

A BILL ENTITLED

AN ACT concerning

State Government – Technology and Science Advisory Commission – Established

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

BY adding to

Article – State Government

Section 9–3501 and 9–3502 to be under the new subtitle “Subtitle 35. Technology and Science Advisory Commission”

Annotated Code of Maryland
(2021 Replacement Volume)

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

Article – State Government

SUBTITLE 35. TECHNOLOGY AND SCIENCE ADVISORY COMMISSION.

9–3501.

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

(B) (1) “ALGORITHMIC DECISION SYSTEM” MEANS A COMPUTATIONAL PROCESS THAT FACILITATES DECISION MAKING.

(2) “ALGORITHMIC DECISION SYSTEM” INCLUDES DECISIONS

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



DERIVED FROM MACHINES, STATISTICS, FACIAL RECOGNITION, AND DECISIONS ON PAPER.

(C) “RESPONSIBLE ARTIFICIAL INTELLIGENCE” MEANS THE PRACTICE OF DESIGNING, DEVELOPING, AND DEPLOYING ARTIFICIAL INTELLIGENCE WITH POSITIVE INTENTIONS THAT WILL EMPOWER OFFICIALS AND CONSUMERS AND CREATE TRUST AND CONFIDENCE.

9-3502.

(A) THERE IS A TECHNOLOGY AND SCIENCE ADVISORY COMMISSION.

(B) THE COMMISSION SHALL CONSIST OF:

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

(I) TWO REPRESENTATIVES OF THE UNIVERSITY OF MARYLAND, BALTIMORE COUNTY, DESIGNATED BY THE PRESIDENT OF THE UNIVERSITY;

(II) TWO REPRESENTATIVES OF THE UNIVERSITY OF MARYLAND, COLLEGE PARK CAMPUS, DESIGNATED BY THE PRESIDENT OF THE UNIVERSITY;

(III) TWO REPRESENTATIVES OF THE UNIVERSITY OF MARYLAND, BALTIMORE CAMPUS, DESIGNATED BY THE PRESIDENT OF THE UNIVERSITY;

(IV) TWO REPRESENTATIVES OF MORGAN STATE UNIVERSITY, DESIGNATED BY THE PRESIDENT OF THE UNIVERSITY;

(V) TWO REPRESENTATIVES OF THE JOHNS HOPKINS UNIVERSITY, DESIGNATED BY THE PRESIDENT OF THE UNIVERSITY, OR THE PRESIDENT’S DESIGNEE;

(VI) TWO REPRESENTATIVES OF TOWSON UNIVERSITY, DESIGNATED BY THE PRESIDENT OF THE UNIVERSITY;

(VII) TWO REPRESENTATIVES OF FROSTBURG STATE UNIVERSITY, DESIGNATED BY THE PRESIDENT OF THE UNIVERSITY;

(VIII) TWO REPRESENTATIVES OF THE UNIVERSITY OF

MARYLAND EASTERN SHORE, DESIGNATED BY THE PRESIDENT OF THE UNIVERSITY;

(IX) TWO REPRESENTATIVES OF THE UNITED STATES NAVAL ACADEMY, DESIGNATED BY THE SUPERINTENDENT OF THE NAVAL ACADEMY;

(X) TWO REPRESENTATIVES OF THE MARYLAND ASSOCIATION OF COMMUNITY COLLEGES, DESIGNATED BY THE EXECUTIVE DIRECTOR OF THE ASSOCIATION;

(XI) TWO REPRESENTATIVES OF THE JOHNS HOPKINS UNIVERSITY APPLIED PHYSICS LAB, DESIGNATED BY THE DIRECTOR OF THE LAB;

(XII) TWO REPRESENTATIVES OF THE MARYLAND TECHNOLOGY COUNCIL, DESIGNATED BY THE CHAIR OF THE COUNCIL;

(XIII) TWO REPRESENTATIVES OF THE MARYLAND CHAMBER OF COMMERCE, DESIGNATED BY THE MARYLAND CHAMBER OF COMMERCE; AND

(XIV) TWO REPRESENTATIVES OF THE HILLTOP INSTITUTE AT THE UNIVERSITY OF MARYLAND, BALTIMORE COUNTY, DESIGNATED BY THE EXECUTIVE DIRECTOR OF THE INSTITUTE;

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

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

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

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

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

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

(8) ONE REPRESENTATIVE OF THE INFORMATION TECHNOLOGY

ADVISORY COUNCIL, DESIGNATED BY THE SECRETARY OF INFORMATION TECHNOLOGY;

(9) ONE REPRESENTATIVE OF THE DIVISION OF PAROLE AND PROBATION, DESIGNATED BY THE SECRETARY OF PUBLIC SAFETY;

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

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

(12) THE ATTORNEY GENERAL, OR THE ATTORNEY GENERAL'S DESIGNEE.

(C) THE COMMISSION SHALL ELECT THE CHAIR OF THE COMMISSION FROM AMONG ITS MEMBERS.

(D) THE DEPARTMENT OF INFORMATION TECHNOLOGY SHALL PROVIDE STAFF FOR THE COMMISSION.

(E) A MEMBER OF THE COMMISSION:

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

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

(F) THE COMMISSION SHALL:

(1) ADVISE STATE AGENCIES ON TECHNOLOGY AND SCIENCE DEVELOPMENTS;

(2) MAKE RECOMMENDATIONS ON THE PROPER USE OF DEVELOPING TECHNOLOGY AND SCIENCE WITHIN THE STATE AND HOW DEVELOPMENTS CAN BE IMPLEMENTED IN THE STATE;

(3) REVIEW AND MAKE RECOMMENDATIONS ON ALGORITHMIC DECISION SYSTEM POLICIES, PRACTICES, AND REGULATIONS EMPLOYED BY STATE AGENCIES;

(4) CREATE A FRAMEWORK FOR ADDRESSING THE ETHICS OF EMERGING AND INNOVATIVE TECHNOLOGIES AND SCIENCE THAT WILL AVOID SYSTEMIC HARM AND BIAS AND PRIORITIZE:

- (I) EQUITY;**
- (II) SUSTAINABILITY;**
- (III) ACCOUNTABILITY; AND**
- (IV) RESPONSIBLE STEWARDSHIP OF PUBLIC RESOURCES;**

(5) PROHIBIT INDIVIDUALS FROM INHIBITING THE EXPERTISE OF THE COMMISSION MEMBERS AND INTERFERING WITH DATA DEVELOPED FROM RECOMMENDATIONS; AND

(6) ESTABLISH WORKGROUPS TO STUDY AND MAKE RECOMMENDATIONS ON:

(I) CLARIFYING AND PRACTICING RESPONSIBLE ARTIFICIAL INTELLIGENCE IN OPERATIONS, PROCUREMENT, AND POLICY AND DEFINING A CODE OF ETHICS FOR ITS INTEGRATION AND USE;

(II) 1. RESEARCHING RAPIDLY ADVANCING TECHNOLOGY AND SCIENCE AND MAINTAINING AND UPDATING POLICIES, PROCESSES, AND SYSTEMS IN STATE AGENCIES; AND

2. HOW THE STATE CAN BETTER PARTNER WITH PRIVATE AND NONPROFIT FIELD EXPERTS FOR THE PURPOSE OF STAYING ABREAST OF AND RESPONSIBLY USING THE MOST CURRENTLY AVAILABLE SCIENTIFIC AND TECHNOLOGICAL INFORMATION IN IMPLEMENTING AND MAINTAINING ITS PROGRAMS IN A FISCALLY RESPONSIBLE MANNER; AND

(III) THE CONCORDANCE BETWEEN EVOLVING TECHNOLOGY AND REGULATIONS RELATED TO STATE LICENSING AND CERTIFICATION, IDENTIFYING:

1. WAYS FOR REGULATORY BOARDS TO KEEP UP WITH EMERGING TECHNOLOGY SO AS TO DETERMINE AND APPROPRIATELY ALIGN PERMITTED USE OF, AND LEVEL OF SUPERVISION FOR, NEW TECHNOLOGY;

2. THE RISKS FOR PHYSICAL HARM TO CONSUMERS

ASSOCIATED WITH THE USE OF THE NEW TECHNOLOGY; AND

3. LICENSEE CATEGORIES WHOSE MEMBERS HAVE THE NECESSARY SKILLS, EDUCATION, AND ABILITY TO MINIMIZE AND ADDRESS HARM THAT MAY OCCUR.

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

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

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2022. It shall remain effective for a period of 5 years and, at the end of June 30, 2027, this Act, with no further action required by the General Assembly, shall be abrogated and of no further force and effect.