



MARYLAND TECH COUNCIL

TO: The Honorable Shane E. Pendergrass, Chair
Members, House Health and Government Operations Committee
The Honorable Terri L. Hill

FROM: Pamela Metz Kasemeyer
J. Steven Wise
Danna L. Kauffman

DATE: March 17, 2021

RE: **OPPOSE** – House Bill 1323 – *Algorithmic Decision Systems – Procurement and Discriminatory Acts*

The Maryland Tech Council (MTC) is a collaborative community, actively engaged in building stronger life science and technology companies by supporting the efforts of our individual members who are saving and improving lives through innovation. We support our member companies who are driving innovation through advocacy, education, workforce development, cost savings programs, and connecting entrepreneurial minds. The valuable resources we provide to our members help them reach their full potential making Maryland a global leader in the life sciences and technology industries. On behalf of MTC, we submit this letter of **opposition** for House Bill 1323.

House Bill 1323 requires that when the State purchases a product or service that is or contains an algorithmic decision system, that the product or service adhere to specified artificial intelligence standards. It also alters the definition of “discriminatory act” to include acts performed through algorithmic decision systems, thereby subjecting them to jurisdiction by the Commission on Civil Rights for complaints filed alleging a discriminatory act.

MTC appreciates the intent of the legislation, which presumably is to ensure algorithmic decision systems are not designed or operated for discriminatory purposes. However, algorithmic systems are a new and innovative area of technology design that offers great promise but is not sufficiently established and defined to reasonably be able to determine if an action performed through an algorithmic decision system is discriminatory. Subjecting this technology to possible actions under the Commission on Civil Rights will create tremendous disincentives for the development of algorithmic decision systems, despite the tremendous opportunity these systems could eventually serve in addressing discriminatory actions and other social factors. MTC looks forward to working with the sponsor in the advancement of this technology but respectfully urges an unfavorable report on House Bill 1323.

For more information call:

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