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THE MARYLAND HOUSE OF DELEGATES ANNAPOLIS, MARYLAND 21401

Testimony of Delegate Jazz Lewis on Information Technology - Artificial Intelligence - Policies and Procedures (Artificial Intelligence Governance Act of 2024)

Chair Pena-Melnyk, Vice Chair Cullison, and members of the Health and Government
Operations Committee,

For the record, Delegate Jazz Lewis here to testify on my legislation HB1271, the Artificial Intelligence Governance Act of 2024. I am proud to be here in support of this bill, which will make sure that Maryland is a leader when it comes to best practices for the use of artificial intelligence in state government. With this bill, we create the process to ensure our AI use does not have any disparate impact or might have any undue bias that could affect Marylanders.

Artificial intelligence is an emerging technology whose scope and implications have almost limitless potential and implications that can revolutionize so many industries. And it has almost infinite possibilities for aiding us in our duties as public servants to our constituents in providing high-quality service. We simply can't turn away from what will inevitably be a key part of our world as it develops and advances through the years to come.

It is because of these vast implications that this bill is so important. AI has the power to make our lives radically better, but it also carries potentially equally negative consequences if we are not intentional and strategic regarding its use. We need to be able to harness the power of this technology and make sure that our government has safeguards in place to ensure that it is not unintentionally misused. We cannot let our eagerness to use a new and exciting technology get in the way of our primary responsibility, which is the well-being of each and every Marylander and the stewardship of their state government. That's what our legislation sets out to prevent.

To start, this legislation sets out clear goals for what our use of AI should be and how we want to utilize AI. These guiding principles will help navigate our use of artificial intelligence for years to come. Next, this bill establishes the first-ever definition of artificial intelligence in state statute, utilizing language that reflects the Biden Administration's definition of what can be considered artificial intelligence. HB 1271 also codifies the Governor's Artificial Intelligence subcommittee into

statute and sets out to ensure that the important work of the subcabinet will have the staff it needs to do its job effectively.

In addition, the bill instructs the Department of Information Technology to take an inventory across our state government of systems that utilize artificial intelligence. This inventory will help us year-over-year keep track of the use of AI and whether these systems could have high-risk impacts that we need to keep track of to ensure that Marylanders are not negatively impacted.

Along with the inventory, this legislation also instructs the DoIT to develop and adopt procedures for the procurement of artificial intelligence that all Departments must follow before purchasing AI software. These procedures are to serve as safeguards that will set out to make sure that when we procure and then utilize artificial intelligence across our government, we have done the necessary due diligence to protect against any potential bias that AI software might have and ensure that our use of it does not unintentionally discriminate against any Marylander.

And finally, this legislation also allows the Department of Information Technology to utilize a new proof of concept procurement. This will allow DoIT to create a smaller proposal solicitation to test out innovative software in a controlled manner to ensure that when we implement technologies on a larger scale, we have worked to ensure that it fulfills our needs effectively and safely. With how new and innovative these softwares can be, this will establish a safe “sandbox” for us to try out what is available securely before we go through with full implementation.

With this legislation, we empower our government to utilize this exciting and emerging technology that has truly breathtaking implications for much of our society. But we are also ensuring that we protect ourselves from the risks that we could face without the right kind of safeguards. This legislation is the product of extensive collaboration with the Administration to ensure that we not just implement the necessary safeguards but prepare ourselves to utilize this new technology, which we are only beginning to see emerge.

HB1271 strikes that balance between harnessing this emerging technology to serve Marylanders better while not letting our enthusiasm for what is new get in the way of our responsibility to protect our constituents.

For these reasons, I urge a favorable report.

Delegate Jazz Lewis