



103RD GENERAL ASSEMBLY

State of Illinois

2023 and 2024

HB4836

Introduced 2/7/2024, by Rep. Abdelnasser Rashid

SYNOPSIS AS INTRODUCED:

20 ILCS 5/5-735 new

Amends the Departments of State Government Law of the Civil Administrative Code of Illinois. Provides that all State agency artificial intelligence systems or State-funded artificial intelligence systems must follow the trustworthiness, equity, and transparency standards framework established by the National Institute for Standards and Technology's AI Risk Management Framework. Specifies timeframes for compliance. Requires a State agency or an entity deploying a State-funded artificial intelligence system to submit a National Institute for Standards and Technology-based algorithmic impact assessment to the General Assembly, the Illinois Auditor General, and the Department of Innovation and Technology, the submission of which shall be overseen by a chief artificial intelligence officer or chief intelligence officers appointed at the discretion of the chief executive officer of each State agency submitting the report or the entity deploying a State-funded artificial intelligence system that is submitting the report. Requires algorithmic impact assessments to be submitted for all covered algorithms used by a State agency or entity deploying a State-funded artificial intelligence system. Requires the Department of Innovation and Technology to create 2 standardized algorithmic impact assessments, one for State agencies and one for entities deploying a State-funded artificial intelligence system, and includes requirements for the assessment. Effective immediately.

LRB103 37021 MXP 67136 b

1 AN ACT concerning State government.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Civil Administrative Code of Illinois is
5 amended by adding Section 5-735 as follows:

6 (20 ILCS 5/5-735 new)

7 Sec. 5-735. Artificial intelligence systems.

8 (a) All State agency artificial intelligence systems or
9 State-funded artificial intelligence systems must follow the
10 trustworthiness, equity, and transparency standards framework
11 established by the National Institute for Standards and
12 Technology's AI Risk Management Framework as follows:

13 (1) on and after the effective date of this amendatory
14 Act of the 103rd General Assembly, State agencies
15 State-funded artificial intelligence systems must refer to
16 the National Institute for Standards and Technology's AI
17 Risk Management Framework when developing new AI systems;

18 (2) no later than one year after the effective date of
19 this amendatory Act of the 103rd General Assembly, State
20 agencies and entities managing State-funded artificial
21 intelligence systems must submit National Institute for
22 Standards and Technology-based algorithmic impact
23 assessments for all artificial intelligence systems in use

1 as provided in subsection (b); and

2 (3) prior to the deployment of an artificial
3 intelligence system and after completion of the State
4 agency's evaluation process or after completion of the
5 evaluation process by an entity deploying a State-funded
6 artificial intelligence system, a National Institute for
7 Standards and Technology-based algorithmic impact
8 assessment must be submitted under subsection (b).

9 (b) In order to ensure compliance with National Institute
10 for Standards and Technology standards, a State agency or an
11 entity deploying a State-funded artificial intelligence system
12 must submit a National Institute for Standards and
13 Technology-based algorithmic impact assessment to the General
14 Assembly, the Illinois Auditor General, and the Department of
15 Innovation and Technology as provided in paragraphs (2) and
16 (3) of subsection (a). The algorithmic impact assessment must
17 be overseen by a chief artificial intelligence officer or
18 chief intelligence officers appointed at the discretion of the
19 chief executive officer of each State agency submitting the
20 report or the entity deploying a State-funded artificial
21 intelligence system that is submitting the report. Algorithmic
22 impact assessments must be submitted for all covered
23 algorithms used by a State agency or entity deploying a
24 State-funded artificial intelligence system.

25 If no artificial intelligence system is being used by a
26 State agency or an entity receiving State funds, there is no

1 expectation for algorithmic impact assessment submissions
2 under this subsection.

3 (c) The Department of Innovation and Technology must
4 create 2 standardized algorithmic impact assessments, one for
5 State agencies and one for entities deploying a State-funded
6 artificial intelligence system. Both standardized algorithmic
7 impact assessments must use evaluation metrics that
8 incorporate National Institute for Standards and Technology
9 standards.

10 For State agencies, the standardized algorithmic impact
11 assessment must be modeled after the federal National
12 Environmental Policy Act (42 U.S.C. 4321 et seq.) impact
13 assessments and must include a public comment period. If a
14 comment is received that raises a concern or a member of the
15 General Assembly, the Illinois Auditor General, or a
16 representative of the Department raises a concern about a
17 State agency's artificial intelligence system regarding
18 algorithmic impact assessment results, the Department may
19 either permanently discontinue the artificial intelligence
20 system or withhold operations until specific modifications are
21 met.

22 For entities deploying a State-funded artificial
23 intelligence system, the standardized algorithmic impact
24 assessment must be modeled after the federal National
25 Environmental Policy Act (42 U.S.C. 4321 et seq.) impact
26 assessments, but no public comment period may be included. If

1 a member of the General Assembly, the Illinois Auditor
2 General, or a representative of the Department raises a
3 concern about a State-funded artificial intelligence system
4 regarding algorithmic impact assessment results, the
5 Department may either permanently discontinue State funding
6 for the project or withhold funding until specific
7 modifications are met. If the Department discontinues or
8 withholds funding under this paragraph, the Department must
9 notify the Comptroller, Treasurer, and the State department
10 that awarded the funding.

11 Section 99. Effective date. This Act takes effect upon
12 becoming law.