

AMENDED IN ASSEMBLY APRIL 8, 2019
AMENDED IN ASSEMBLY MARCH 25, 2019
CALIFORNIA LEGISLATURE—2019–20 REGULAR SESSION

ASSEMBLY BILL

No. 459

Introduced by Assembly Member Kiley
(Principal coauthor: Senator Chang)

February 11, 2019

An act to add and repeal Section 11820.50 of the Government Code, relating to state government.

LEGISLATIVE COUNSEL'S DIGEST

AB 459, as amended, Kiley. State government: Artificial Intelligence in State Government Services Commission: report.

Existing law establishes within the Government Operations Agency the Department of Technology under the supervision of the Director of Technology, who also serves as the State Chief Information Officer. The department is generally responsible for the approval and oversight of information technology projects by, among other things, consulting with state agencies during initial project planning to ensure that project proposals are based on well-defined programmatic needs.

This bill would require the Artificial Intelligence in State Government Services Commission, which would be established if AB 976 of the 2018–19 Regular Session is enacted, to report to the Legislature on the commission's recommended minimum standards for the use of artificial intelligence that includes specified information, including fostering accountability in state government services and prioritizing the safety and security of artificial intelligence technologies used by state government. The bill would make its operation contingent on the

enactment of AB 976 of the 2018–19 Regular Session on or before January 1, 2020, and establishes the artificial intelligence commission described above.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 11820.50 is added to the Government
2 Code, to read:
3 11820.50. (a) On or before November 1, 2020, the Artificial
4 Intelligence in State Government Services Commission shall report
5 to the Legislature on the commission’s recommended minimum
6 standards for the use of artificial intelligence in state government.
7 Those minimum standards shall include all of the following:
8 (1) Fostering accountability in state government services,
9 including, but not limited to, the following:
10 (A) Human responsibility for the use and impact of artificial
11 intelligence tools.
12 (B) An appeals process for decisions ~~to use~~ *made by* artificial
13 intelligence tools.
14 (C) Recording and monitoring government use of artificial
15 intelligence tools.
16 (D) Ensuring sufficient transparency and ~~explainability~~
17 *explainability* of artificial intelligence tools used by state agencies.
18 (2) Prioritizing the safety and security of artificial intelligence
19 technologies used by state agencies, including the following:
20 (A) Measuring the reliability and robustness of artificial
21 intelligence tools.
22 (B) Minimizing the potential for misuse.
23 (3) Protecting the privacy of California residents.
24 (4) Establishing processes to monitor the impact of artificial
25 intelligence technologies throughout California, including the
26 following:
27 (A) Automation and labor displacement.
28 (B) Bias and discrimination.
29 (C) Effectiveness and accuracy.
30 (D) Unforeseen consequences.
31 (b) The report to be submitted pursuant to subdivision (a) shall
32 be submitted in compliance with Section 9795.

1 (c) Pursuant to Section 10231.5, this section is repealed on
2 November 1, 2024.
3 SEC. 2. This act shall become operative only if Assembly Bill
4 976 of the 2019–20 Regular Session is enacted and becomes
5 effective on or before January 1, 2020, and establishes the Artificial
6 Intelligence in State Government Services Commission.

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