



The roadmap continues ...

United States

Legislation



Summary of scope



State of Colorado's law: Protecting Consumers from Unfair Discrimination in Insurance Practices (Colorado SB21-169)

Activation date:
2023.

Insurers doing business in Colorado must test their algorithms and predictive models that use external consumer data for unfair discriminatory outputs based on race, sex, and other protected classes; develop governance and risk management systems; certify compliance to the regulator; and take corrective action to address any consumer harms that are discovered.

New York City AI in Employment Bias Law [Local Law 144] (NYC AI Bias Law)

Activation date:
July 5, 2023.

The NYC AI Bias Law makes it unlawful for employers to use automated employment decision tools (AEDTs) to screen candidates and employees within NYC unless a bias audit is performed, the results are disclosed on a website, and notice is provided of AEDT use and an opportunity to request an alternative selection process. The definition of "AEDT" includes machine learning and artificial intelligence.

National Institute of Standards & Technology Artificial Intelligence Risk Management Framework (NIST AI RMF)

Activation date:
Voluntary guidance —
January 2023.

In January 2023, NIST (National Institute of Standards and Technology, US Department of Commerce) issued its seminal AI Risk Management Framework to assist organizations in managing the risks of AI systems so that the systems are reliable, safe, secure, fair, privacy-enhanced, and transparent. The framework sets out practical steps that the companies can take to govern, map, measure, and manage their AI systems.

*Last updated June 2024





The roadmap continues ...

United States

Legislation

Summary of scope

White House Blueprint for an AI Bill of Rights

Activation date:
Voluntary guidance —
October 2022.

The White House Office of Science and Technology Policy issued a report that articulated some principles of responsible AI: safety; fair and non-discriminatory; protection of privacy and confidential information; transparency; and notice.

White House Secures Voluntary Commitments from Leading AI Companies to Manage AI Risks

Activation date:
Voluntary guidance —
October 2022.

Voluntary; July 19, 2023.
Applies only to generative models that are more powerful than current industry frontier models.

Seven leading AI companies (Amazon, Anthropic, Google, Inflection, Meta, Microsoft, and OpenAI) commit to (1) internal and external red-teaming of models or systems in areas of misuse, societal risks (such as bias and discrimination), and national security concerns (bio, chemical or radiological risks); (2) work toward information sharing among companies and government; (3) invest in cybersecurity and insider threat safeguards to protect proprietary and unreleased model weights; (4) incent third-party discovery and reporting of issues and vulnerabilities; (5) develop and deploy mechanisms that enable users to understand whether content is AI-generated; (6) publicly report model capabilities, limitations, and risks; (7) prioritize research on societal risks; and (8) develop and deploy frontier AI systems to help address society's greatest challenges, such as climate change, early cancer detection, and combating cyber threats.

*Last updated June 2024





The roadmap continues ...

United States

Legislation

Summary of scope

Rulemaking on Automated Decision-making (California rulemaking under California Privacy Rights Act)

The California Privacy Protection Agency (CPPA) intends to promulgate regulations governing access and opt-out rights for consumers when a business uses automated decision-making technology (ADMT) is used in whole or in part to make or execute a decision or facilitate human decision-making, including profiling.

Activation date:
Proposed first draft expected to be released for comment in September 2024.

National Association of Insurance Commissioners (NAIC): Model Bulletin on Use of Algorithms, Predictive Models and Artificial Intelligence Systems by Insurers

The Model Bulletin sets forth regulatory expectations regarding how insurers should govern, identify, mitigate, and manage AI systems, including third-party AI systems, and how insurers will be expected to document and retain information relating to AI system governance, risk management, and use protocols.

Activation date:
Guidance subject to regulatory enforcement. State bulletins have been issued by 13 states as of July 2024.

*Last updated June 2024





The roadmap continues ...

United States

Legislation



Summary of scope



Presidential Executive Order 14110 on Safe, Security and Trustworthy Development and Use of Artificial Intelligence

Activation date:
October 20, 2023.

This Executive Order advances a coordinated approach to the responsible development and use of AI among federal government agencies and direct agencies to mitigate the key risks of AI to safety, security, privacy and fairness.

US Department of Homeland Security (DHS): Safety and Security Guidelines for Owners and Operators of Critical Infrastructure

Activation date:
April 29, 2024.

DHS, in coordination with its Cybersecurity and Infrastructure Security Agency (CISA) issued new safety and security guidelines to address cross-sector AI risks impacting the safety and security of US critical infrastructure system. DHS outlines a four-part mitigation strategy, building upon the NIST AI Risk Management Framework that infrastructure owners and operators can use: Govern (establish an organization culture of AI risk management); Map (understand your individual AI use context and risk profile); Measure (develop systems to assess, analyze and track AI risks) and Manage (prioritize and act upon AI risks to safety and security).

US Equal Employment Opportunity Commission (EEOC): Artificial Intelligence and Algorithmic Fairness Initiative

The EEOC initiated an agency-wide initiative to ensure that the use of software, including artificial intelligence (AI), machine learning, and other emerging technologies used in hiring and other employment decisions comply with the federal civil rights laws that the EEOC enforces, including the use of its enforcement powers.





The roadmap continues ...

United States

Legislation



Summary of scope



State of Colorado Artificial Intelligence Act (SB24-205)

Activation date:
February 1, 2026.

On May 17, 2024, the state of Colorado enacted a law designed to regulate any AI system that is a substantial factor in making a consequential decision that effects the cost, terms of use, provision or denial to a customer of 8 types of services, including employment, financial services, insurance, housing, etc. The law requires developers and deployers to use reasonable care to mitigate the risks of algorithmic discrimination. There is a presumption of compliance if the deployer or developer conducts a risk assessment and provides certain notices to consumers, on its website and to the Colorado Attorney General.



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Routes to compliance

Global technology regulations and enforcement



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