



104TH GENERAL ASSEMBLY

State of Illinois

2025 and 2026

HB3720

Introduced 2/18/2025, by Rep. Abdelnasser Rashid

SYNOPSIS AS INTRODUCED:

New Act

Creates the Meaningful Human Review of Artificial Intelligence Act. Sets forth provisions prohibiting a State agency, or any entity acting on behalf of an agency, from utilizing or applying any automated decision-making system, directly or indirectly, without continuous meaningful human review when performing any of the agency's specified functions. Requires impact assessments to be performed by State agencies seeking to utilize or apply an automated decision-making system with continuous meaningful human review. Provides that the impact assessment shall include a description of the objectives of the automated decision-making system; an evaluation of the ability of the automated decision-making system to achieve its stated objectives; a specified description and evaluation of the objectives and development of the automated decision-making; testing of the automated decision-making system; and the notification mechanism or procedure, if any, by which individuals impacted by the utilization of the automated decision-making system may be notified of the use of such automated decision-making system and of the individual's personal data, and informed of their rights and options relating to such use. Requires submission of impact assessments to the Governor and General Assembly.

LRB104 11304 BDA 21390 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 1. Short title. This Act may be cited as the
5 Meaningful Human Review of Artificial Intelligence Act.

6 Section 5. Definitions. As used in this Act:

7 "Automated decision-making system" means any software that
8 uses algorithms, computational models, or artificial
9 intelligence techniques, or a combination thereof, to
10 automate, support, or replace human decision-making.
11 "Automated decision-making system" includes, without
12 limitation, systems that process data and apply predefined
13 rules or machine learning algorithms to analyze such data and
14 generate conclusions, recommendations, outcomes, assumptions,
15 projections, or predictions without meaningful human
16 discretion. "Automated decision-making system" does not
17 include any software used primarily for basic computerized
18 processes, such as calculators, spellcheck tools, autocorrect
19 functions, spreadsheets, electronic communications, or any
20 tool that relates only to internal management affairs, such as
21 ordering office supplies or processing payments and that do
22 not materially affect the rights, liberties, benefits, safety,
23 or welfare of any individual within the State.

1 "Meaningful human review" means review, oversight, and
2 control of the automated decision-making process by one or
3 more individuals who understand the risks, limitations, and
4 functionality of, and are trained to use, the automated
5 decision-making system and who have the authority to intervene
6 or alter the decision under review, including, but not limited
7 to, the ability to approve, deny, or modify any decision
8 recommended or made by the automated system.

9 "State agency" means any Department, public authority,
10 board, bureau, commission, division, office, council,
11 committee, or officer of the State.

12 "Public assistance benefit" means any service or program
13 within the control of the State or benefit provided by the
14 State to individuals or households, including, but not limited
15 to, public assistance, cash assistance, grants, child care
16 assistance, housing assistance, unemployment benefits,
17 transportation benefits, education assistance, domestic
18 violence services, and any other assistance or benefit within
19 the authority of the State to grant to individuals within the
20 State. "Public assistance benefit" does not include any
21 federal program that is administered by the federal government
22 or the State.

23 Section 10. Use of automated decision-making systems by
24 agencies.

25 (a) A State agency, or any entity acting on behalf of an

1 agency, shall not utilize or apply any automated
2 decision-making system, directly or indirectly, without
3 continuous meaningful human review when performing any
4 function that:

5 (1) is related to the delivery of any public
6 assistance benefit;

7 (2) will have a material impact on the rights, civil
8 liberties, safety, or welfare of any individual within the
9 State; or

10 (3) affects any statutorily or constitutionally
11 provided right of an individual who shall use the
12 automated decision-making system unless the system is
13 subject to continuous meaningful human review.

14 (b) A State agency shall not authorize any procurement,
15 purchase, or acquisition of any service or system utilizing,
16 or relying on, automated decision-making systems in performing
17 any function that is:

18 (1) related to the delivery of any public assistance
19 benefit;

20 (2) will have a material impact on the rights, civil
21 liberties, safety, or welfare of any individual within the
22 State; or

23 (3) affects any statutorily or constitutionally
24 provided right of an individual unless such automated
25 decision-making system is subject to continuous meaningful
26 human review.

1 (c) The use of an automated decision-making system shall
2 not affect:

3 (1) the existing rights of employees pursuant to an
4 existing collective bargaining agreement; or

5 (2) the existing representational relationships among
6 employee organizations or the bargaining relationships
7 between the employer and an employee organization. The use
8 of an automated decision-making system shall not result in
9 the:

10 (A) discharge, displacement, or loss of position,
11 including partial displacement, such as a reduction in
12 the hours of non-overtime work, wages, or employment
13 benefits, or result in the impairment of existing
14 collective bargaining agreements;

15 (B) transfer of existing duties and functions
16 currently performed by employees of the State or any
17 agency or public authority to an automated
18 decision-making system; or

19 (C) transfer of future duties and functions
20 ordinarily performed by employees of the State or any
21 agency or public authority. The use of an automated
22 decision-making system shall not alter the rights,
23 benefits, and privileges, including, but not limited
24 to, terms and conditions of employment, civil service
25 status, and collective bargaining unit membership
26 status of all existing employees of the State or any

1 agency or public authority shall be preserved and
2 protected.

3 Section 15. Impact assessments.

4 (a) State agencies seeking to utilize or apply an
5 automated decision-making system permitted under Section 10 of
6 this Act with continuous meaningful human review shall conduct
7 an impact assessment bearing the signature of one or more
8 individuals responsible for meaningful human review for the
9 lawful application and use of the automated decision-making
10 system. Following the first impact assessment, an impact
11 assessment shall be conducted in accordance with this Section
12 at least once every 2 years. An impact assessment shall be
13 conducted prior to any material change to the automated
14 decision-making system that may change the outcome or effect
15 of such system. Such impact assessments shall include:

16 (1) a description of the objectives of the automated
17 decision-making system;

18 (2) an evaluation of the ability of the automated
19 decision-making system to achieve its stated objectives;

20 (3) a description and evaluation of the objectives and
21 development of the automated decision-making including:

22 (A) a summary of the underlying algorithms,
23 computational modes, and artificial intelligence tools
24 that are used within the automated decision-making
25 system; and

1 (B) the design and training data used to develop
2 the automated decision-making system process;

3 (4) testing for:

4 (A) accuracy, fairness, bias, and discrimination
5 and an assessment of whether the use of the automated
6 decision-making system produces discriminatory results
7 on the basis of a consumer's or a class of consumers'
8 actual or perceived race, color, ethnicity, religion,
9 national origin, sex, gender, gender identity, sexual
10 orientation, familial status, biometric information,
11 lawful source of income, or disability and outlines
12 mitigations for any identified performance differences
13 in outcomes across relevant groups impacted by such
14 use;

15 (B) any cybersecurity vulnerabilities and privacy
16 risks resulting from the deployment and use of the
17 automated decision-making system and the development
18 or existence of safeguards to mitigate the risks;

19 (C) any public health or safety risks resulting
20 from the deployment and use of the automated
21 decision-making system;

22 (D) any reasonably foreseeable misuse of the
23 automated decision-making system and the development
24 or existence of safeguards against such misuse;

25 (E) the extent to which the deployment and use of
26 the automated decision-making system requires input of

1 sensitive and personal data, how that data is used and
2 stored, and any control users may have over their
3 data; and

4 (5) the notification mechanism or procedure, if any,
5 by which individuals impacted by the utilization of the
6 automated decision-making system may be notified of the
7 use of such automated decision-making system and of the
8 individual's personal data, and informed of their rights
9 and options relating to such use.

10 (b) Notwithstanding applicable law, if an impact
11 assessment finds that the automated decision-making system
12 produces discriminatory or biased outcomes, the State agency
13 shall cease any utilization, application, or function of such
14 automated decision-making system and of any information
15 produced using the system.

16 Section 20. Submission to the Governor and General
17 Assembly.

18 (a) Each impact assessment conducted pursuant to this Act
19 shall be submitted to the Governor, the President of the
20 Senate, and the Speaker of the House at least 30 days prior to
21 the implementation of the automated decision-making system
22 that is the subject of such assessment.

23 (b) (1) The impact assessment of an automated
24 decision-making system shall be published on the Internet
25 website of the relevant State agency.

1 (2) If the State agency makes a determination that the
2 disclosure of any information required in the impact
3 assessment would result in a substantial negative impact on
4 health or safety of the public, infringe upon the privacy
5 rights of individuals, or significantly impair the State
6 agency's ability to protect its information technology or
7 operational assets, such State agency may redact such
8 information, provided that an explanatory statement on the
9 process by which the State agency made such determination is
10 published along with the redacted impact assessment.

11 (3) If the impact assessment covers any automated
12 decision-making system that includes technology that is used
13 to prevent, detect, protect against, or respond to security
14 incidents, identity theft, fraud, harassment, malicious or
15 deceptive activities, or other illegal activity; preserve the
16 integrity or security of systems; or to investigate, report,
17 or prosecute those responsible for any such malicious or
18 deceptive action, a State agency may redact the information,
19 so long as an explanatory statement on the process by which the
20 State agency made such determination is published along with
21 the redacted impact assessment.