Responsible
Artificial Intelligence
Institute

CAIA Term	CAIA Legal Definition
Algorithmic discrimination	Any condition in which the **use of an AI system results in an unlawful differential treatment or impact** that disfavors an individual or group of individuals on the basis of their actual or perceived age, color, disability, ethnicity, genetic information, limited proficiency in the English language, national origin, race, religion, reproductive health, sex, veteran status, or other classification protected under the laws of this state or federal law. **Does not include:** a. The offer, license, or use of a high-risk AI system by a developer or deployer for the sole purpose of: i. The developer's or deployer's **self-testing** to identify, mitigate, or prevent discrimination or otherwise ensure compliance with state and federal law; or ii. **Expanding an applicant, customer, or participant pool to increase diversity or redress historical discrimination**; or b. An act or omission by or on behalf of a **private club or other establishment that is not in fact open to the public**, as set forth in Title II of the Federal "Civil Rights Act of 1964"
Intentional and substantial modification	A **deliberate change made to an AI system** that results in any new reasonably **foreseeable risk** of algorithmic discrimination. **Does not include:** a change made to a high-risk AI system, or the performance of a high-risk AI system, if: a. The high-risk **AI system continues to learn** after the AI system is: i. Offered, sold, leased, licensed, given, or otherwise **made available to a deployer**; or **ii. Deployed** b. The change is made to the high-risk AI system as a result of any learning described in this subsection; c. The **change was predetermined by the deployer**, or a third party contracted by the deployer, when the deployer or third party completed an initial impact assessment of such high-risk AI system pursuant to section 3; and d. The **change is included in technical documentation** for the high-risk AI system.
Consequential decision	A decision that has a material legal or similarly significant effect on the **provision or denial to any consumer of, or the cost or terms of:** • Education enrollment or an education opportunity • Employment or an employment opportunity • Financial or lending service • Essential government service • Healthcare services • Housing • Insurance • Legal service

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Consumer	An individual who is a **Colorado resident**.
High-risk AI system	Any AI system that, when deployed, **makes or is a substantial factor in making a consequential decision.** **Explicit AI systems under CAIA that do not count as high-risk:** an AI system if the AI system is intended to: a. Perform a narrow procedural task; or b. Detect decision-making patterns or deviations from prior decision-making patterns and is not intended to replace or influence a previously completed human assessment without sufficient human review; or c. The **following technologies**, unless the technologies, when deployed, make, or are a substantial factor in making, a consequential decision: i. Anti-fraud technology that does not use facial recognition technology ii. Anti-malware iii. Anti-virus iv. Artificial intelligence-enabled video games v. Calculators vi. Cybersecurity vii. Databases viii. Data storage ix. Firewall x. Internet domain registration xi. Internet website loading xii. Networking xiii. Spam and robocall filtering xiv. Spell-checking xv. Spreadsheets xvi. Web caching xvii. Web hosting or any similar technology xviii. Technology that communicates with consumers in natural language for the purpose of providing users with information, making referrals or recommendations, and answering questions and is subject to an accepted use policy that prohibits generating content that is discriminatory or harmful.