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1 BE IT ORDAINED BY THE COUNCIL, THE GOVERNING BODY OF THE CITY OF
2 ALBUQUERQUE:

3 SECTION 1. A new Article 20 in Chapter 2 of the Revised Ordinances of
4 Albuquerque, 1994 is hereby created as follows:

5 § 2-20-1. SHORT TITLE. This Ordinance may be referred to as the “Artificial
6 Intelligence Ordinance” or “AIO.”

7 § 2-20-2. PURPOSE. This Ordinance is adopted to ensure that the City’s
8 purchasing and deployment of Artificial Intelligence within City of
9 Albuquerque operations is conducted in a manner that promotes innovation,
10 transparency, fairness, accountability, ethical safeguards, and protection of
11 public interests, while fostering community trust and maximizing community
12 benefit. The Artificial Intelligence Ordinance provides a governance framework
13 for agile Artificial Intelligence deployment across City Departments, while
14 ensuring community oversight and adaptability to evolving state and federal
15 policy. As City Departments bolster capacity to further develop, deploy, and
16 use Artificial Intelligence, this Ordinance shall serve as the vehicle for
17 implementing the Operational Plan provided in EC-25-485 and any subsequent
18 Artificial Intelligence plans developed and approved by the City.

19 § 2-20-3. DEFINITIONS.

20 (A) “ARTIFICIAL INTELLIGENCE” or “AI” is any computer science that uses
21 computer systems to perform tasks which usually require human intelligence,
22 such as reasoning, problem solving, perception, and language.

23 (B) “EMERGING TECHNOLOGY” means artificial intelligence, automated
24 decision systems, machine learning, predictive analytics, biometric systems,
25 and any additional technologies reviewed by the Emerging Technology
26 Advisory Board or otherwise identified as significantly affecting City
27 operations, public services, privacy, or civil rights, as defined in the enabling
28 legislation for the Emerging Technology Advisory Board.

29 (C) “EMERGING TECHNOLOGY ADVISORY BOARD” or “BOARD” is the
30 City advisory board responsible for helping the City maintain a consistent,
31 informed, and community-centered approach to reviewing high-risk and
32 emerging technologies, advising on policy and procurement decisions, and
33 supporting the City’s responsible implementation of the Artificial Intelligence

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1 Ordinance and the rules created by the Department of Technology &
2 Innovation (“DTI”).

3 § 2-20-4. APPLICABILITY.

4 (A) This Ordinance and accompanying Rules apply to all matters related to
5 AI that DTI deems necessary to evaluate to ensure the responsible use of AI in
6 City of Albuquerque operations.

7 (B) The provisions of this Ordinance and rules apply to all products and
8 services used or proposed for use within the City of Albuquerque’s
9 government operations, for AI technologies that interface directly with
10 residents or public services within the City’s jurisdiction and Purchases being
11 considered by City Departments for which the prospective vendors utilize AI in
12 the delivery of their products and services.

13 § 2-20-5. CREATION OF AI POLICY.

14 (A) DTI shall create an AI Policy to implement this Ordinance. The Policy
15 shall at a minimum:

16 (1) Ensure compliance with the Emerging Technology Advisory Board
17 Ordinance (ROA 1994, Chapter 2, Article 6, Part 3);

18 (2) Utilize appropriate recommendations outlined by the AI Working
19 Group submitted to Council via EC-25-485;

20 (3) Require any Department that utilizes AI to report their use and
21 application to DTI;

22 (4) Provide standards for transparency, documentation, and public
23 reporting of AI use cases by City Departments deploying AI Purchases, to
24 include creating and maintaining an AI Purchase Inventory;

25 (5) Require that any entity entering into a contract with the City disclose
26 whether their products or services use Artificial Intelligence in any form, and
27 notify the City if that use changes after the contract is executed;

28 (6) Develop recommendations on procedures for compliance,
29 enforcement, and disciplinary actions for violations of this Ordinance, if
30 necessary; and

31 (7) Create guidelines for ethical use of AI in City decision-making and
32 public service delivery.

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1 (B) DTI shall alert the City Council of any changes to the AI Policy in the
2 form of an Executive Communication submitted at the first City Council
3 Meeting in August.

4 **§ 2-20-6. PUBLIC ENGAGEMENT AND TRANSPARENCY.**

- 5 (A) To ensure public engagement and transparency, DTI shall:
- 6 (1) Make the most recent version of the City’s AI Policy available online;
 - 7 (2) Create and regularly update DTI’s public-facing AI Purchase
8 Inventory and related disclosures by City Departments;
 - 9 (3) Provide public education and community engagement around AI by
10 partnering with local tech experts and inviting them to attend and make
11 presentations at Emerging Technology Advisory Board meetings;
 - 12 (4) Provide a forum for public feedback, concerns, or complaints
13 through the Emerging Technology Advisory Board; and
 - 14 (5) Publish all of the materials required by this Section in multiple
15 languages and formats to ensure equitable access and understanding among
16 underrepresented communities.

17 **SECTION 2. SEVERABILITY.** If any section, paragraph, sentence, clause,
18 word or phrase of this Ordinance is for any reason held to be invalid or
19 unenforceable by any court of competent jurisdiction, such decision shall not
20 affect the validity of the remaining provisions of this Ordinance. The Council
21 hereby declares that it would have passed this Ordinance and each section,
22 paragraph, sentence, clause, word or phrase thereof irrespective of any
23 provision being declared unconstitutional or otherwise invalid.

24 **SECTION 3. COMPILATION.** SECTION 1 of this Ordinance is to be compiled
25 as a new Article 20 in Chapter 2 of the Revised Ordinances of Albuquerque,
26 New Mexico, 1994, titled “Artificial Intelligence Ordinance (AIO).”

27 **SECTION 4. EFFECTIVE DATE.** This ordinance shall take effect five (5) days
28 after publication by title and general summary.

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