

House Bill 715

By: Representatives Berry of the 56<sup>th</sup>, Kendrick of the 95<sup>th</sup>, Clark of the 108<sup>th</sup>, Evans of the 57<sup>th</sup>, and Holcomb of the 101<sup>st</sup>

A BILL TO BE ENTITLED

AN ACT

1 To amend Article 4 of Chapter 3 of Title 8 of the Official Code of Georgia Annotated,  
2 relating to fair housing, so as to provide for artificial intelligence or automated decision tools  
3 in actions for discriminatory housing practices; to prohibit the use of certain defenses in  
4 actions for discriminatory housing practices; to prohibit the use of artificial intelligence or  
5 automated decision tools without human oversight in making certain housing determinations;  
6 to prohibit making certain housing determinations using artificial intelligence or automated  
7 decision tools without certain disclosures; to provide for enforcement by Attorney General;  
8 to provide for fines; to provide for a short title; to provide for definitions; to provide for  
9 related matters; to repeal conflicting laws; and for other purposes.

10 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

11 **SECTION 1.**

12 This Act shall be known and may be cited as the "Fair and Future Ready Housing Act."

13 **SECTION 2.**

14 Article 4 of Chapter 3 of Title 8 of the Official Code of Georgia Annotated, relating to fair  
15 housing, is amended by adding a new Code section to read as follows:

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16 "8-3-224.

17 (a) As used in this Code section:

18 (1) 'Artificial intelligence' means a machine based system that can, for a given set of  
19 human defined objectives, make predictions, recommendations, or decisions influencing  
20 a real or virtual environment.

21 (2) 'Automated decision tool' means a system or service that uses artificial intelligence  
22 and has been specifically developed and marketed or specifically modified to make, or  
23 to be a controlling factor in making, consequential decisions.

24 (3) 'Judicatory' means any court, official, board, tribunal, commission, municipal or  
25 county authority, council, or similar body exercising judicial or quasi-judicial powers  
26 authorized by law, as well as any arbitrator, administrative law judge, mediator, or similar  
27 adjudicator authorized by law to act on behalf or at the request of any public official or  
28 body.

29 (b) Any prohibition in this article against any discriminatory housing practice shall include  
30 a prohibition against such discriminatory housing practice resulting from the use of or  
31 reliance upon artificial intelligence or automated decision tools.

32 (c) In any action or proceeding before any judicatory stemming from a prohibition on  
33 discriminatory housing practices, reliance upon artificial intelligence or automated decision  
34 tools shall not be a defense to an allegation of discrimination.

35 (d) No person shall use artificial intelligence or automated decision tools to make  
36 determinations relating to the sale, rental, or financing of dwellings or in the provision of  
37 brokerage services or facilities in connection with the sale or rental of a dwelling, without  
38 the participation or review of such determinations by an individual responsible for making  
39 such determination.

40 (e) No person shall use artificial intelligence or automated decision tools to make  
41 determinations relating to the sale, rental, or financing of dwellings or in the provision of

42 brokerage services or facilities in connection with the sale or rental of a dwelling, without  
43 disclosing to any affected individuals that such tools were used.

44 (f)(1) If the Attorney General determines, after notice and hearing, that a person has  
45 violated either subsection (c) or (d) of this Code section, the Attorney General may issue  
46 an administrative order imposing a penalty of not more than \$10,000.00.

47 (2) The hearing and any administrative review pursuant to this subsection shall be  
48 conducted in accordance with the procedure for contested cases under Chapter 13 of Title  
49 50, the 'Georgia Administrative Procedure Act.' Any person who has exhausted all  
50 administrative remedies available and who is aggrieved or adversely affected by a final  
51 order or action of the Attorney General shall have the right of judicial review in  
52 accordance with Chapter 13 of Title 50, the 'Georgia Administrative Procedure Act.'

53 **SECTION 3.**

54 All laws and parts of laws in conflict with this Act are repealed.