§ 401. Definitions. For the purpose of this article:

1. "Automated employment decision-making tool" shall mean any software that uses algorithms, computational models, or artificial intelligence techniques, or a combination thereof, to materially automate or replace human decision-making regarding employment, including but not limited to wages and other compensation, hiring, selection for recruitment, discipline, promotion, and termination. "Automated employment decision-making tool" shall not include any software used primarily for basic computerized processes, such as calculators, spellcheck tools, autocorrect functions, spreadsheets, electronic communications, or any tool that relates only to internal management affairs such as ordering office supplies or processing payments, and that do not materially affect the rights, liberties, benefits, safety or welfare of any individual within the state.

2. "State agency" shall mean any department, public authority, board, bureau, commission, division, office, council, committee or officer of the state. Such terms shall not include the legislature or judiciary.

* 3. "Covered entity" shall mean any county, city, town, village, school district, board of cooperative educational services, county vocational education and extension board, district corporation, the state university of New York, the city university of New York, or community college.

* NB Repealed July 1, 2028