

H-8357

1 Amend House File 2507 as follows:

2 1. By striking everything after the enacting clause and
3 inserting:

4 <Section 1. NEW SECTION. 554J.1 Definitions.

5 For the purposes of this chapter:

6 1. "Account holder" means an individual to which an account
7 or profile to use a conversational AI service belongs.

8 2. a. "Conversational AI service" means an artificial
9 intelligence, available by software application, web interface,
10 or computer program, that is accessible to the general
11 public and that has the primary purpose of simulating human
12 conversation and interaction through text, audio communication,
13 or visual communication.

14 b. "Conversational AI service" does not include a software
15 application, web interface, or computer program that is any of
16 the following:

17 (1) Primarily designed and marketed for research and
18 development purposes.

19 (2) A feature within another software application, web
20 interface, or computer program that does not have the primary
21 purpose of simulating human conversation and interaction
22 through text, audio communication, or visual communication.

23 (3) Designed to provide outputs relating to a narrow and
24 discrete topic.

25 (4) Primarily designed and marketed for commercial use by
26 business entities to assist customers in obtaining services or
27 purchasing goods from the business.

28 (5) Functions as a speaker and voice command interface or
29 voice-activated virtual assistant for an electronic device
30 widely available to consumers.

31 (6) Used by a business solely for internal purposes.

32 3. "Minor" means an individual an operator knows is, or is
33 reasonably certain is, under eighteen years of age.

34 4. "Operator" means a person who develops and makes a
35 conversational AI service available to the public. "Operator"

1 does not include a mobile device application store or a search
2 engine solely because the mobile device application store or a
3 search engine provides access to a conversational AI service.

4 5. "*Sexually explicit conduct*" means the same as defined in
5 18 U.S.C. §2256.

6 6. "*Visual depiction*" means the same as defined in 18 U.S.C.
7 §2256.

8 Sec. 2. NEW SECTION. 554J.2 **Conversational AI services —**
9 **minors — requirements.**

10 1. An operator shall clearly and conspicuously disclose
11 to a minor account holder that the minor account holder is
12 interacting with artificial intelligence through any of the
13 following:

14 a. A persistent visible disclaimer.

15 b. All of the following:

16 (1) A disclaimer that appears at the beginning of each
17 interaction between the operator's conversational AI service
18 and a minor account holder.

19 (2) A disclaimer that appears at least once every three
20 hours of continuous interaction between the operator's
21 conversational AI service and a minor account holder.

22 2. An operator shall not provide a minor user with points
23 or similar rewards at unpredictable intervals with the
24 intent to encourage increased engagement with the operator's
25 conversational AI service.

26 3. An operator shall institute reasonable measures to
27 prevent the operator's conversational AI service from doing any
28 of the following for minor account holders:

29 a. Producing visual depictions of sexually explicit
30 material.

31 b. Stating that the minor account holder should engage in
32 sexually explicit conduct.

33 c. Sexually objectifying the minor account holder.

34 4. An operator shall institute reasonable measures
35 to prevent the operator's conversational AI service from

1 generating statements that would lead a reasonable individual
2 to believe that the individual is interacting with a human,
3 including but not limited to all of the following:

4 *a.* Explicit claims that the conversational AI service is
5 sentient or human.

6 *b.* Statements that simulate emotional dependence on a minor
7 account holder.

8 *c.* Statements that simulate a romantic interaction or a
9 sexual innuendo.

10 *d.* Role-playing an adult-minor romantic relationship.

11 5. *a.* An operator shall offer tools for minor account
12 holders to manage the minor account holder's privacy and
13 account settings.

14 *b.* An operator shall offer tools for the parent or guardian
15 of a minor account holder to manage the minor account holder's
16 privacy and account settings if the minor is under thirteen
17 years of age.

18 *c.* An operator shall offer tools for the parent or guardian
19 of a minor account holder to manage the minor account holder's
20 privacy and account settings as appropriate based on relevant
21 risks.

22 **Sec. 3. NEW SECTION. 554J.3 Consumer disclosures.**

23 An operator shall clearly and conspicuously disclose using
24 a persistent visible disclaimer, or a disclaimer that appears
25 after every three hours of continuous interaction with the
26 operator's conversational AI service, that the operator's
27 conversational AI service is artificial intelligence if a
28 reasonable individual interacting with the conversational AI
29 service would believe that the individual is interacting with a
30 human.

31 **Sec. 4. NEW SECTION. 554J.4 Suicide and self-harm protocol.**

32 An operator shall adopt protocols for the operator's
33 conversational AI service for responding to user prompts
34 regarding suicidal ideation or self-harm that includes but is
35 not limited to making reasonable efforts to refer the user to

1 crisis service providers such as a suicide hotline, crisis text
2 line, or other appropriate crisis service.

3 **Sec. 5. NEW SECTION. 554J.5 Mental health care.**

4 An operator shall not knowingly and intentionally cause or
5 program a conversational AI service to make a representation or
6 statement that would lead a reasonable individual to believe
7 that the conversational AI service is designed to provide
8 professional psychology or behavioral health services that an
9 individual would require licensure under chapter 154B or 154D
10 to provide.

11 **Sec. 6. NEW SECTION. 554J.6 Penalties and enforcement.**

12 1. An operator that violates this chapter shall be subject
13 to an injunction and liable for the greater of the following:

14 *a.* Actual damages.

15 *b.* A civil penalty of one thousand dollars per violation, up
16 to a maximum of five hundred thousand dollars per operator.

17 2. The attorney general shall have the authority to enforce
18 this chapter and shall adopt rules pursuant to chapter 17A to
19 administer this chapter.

20 3. A civil penalty collected under this section shall be
21 deposited into the general fund of the state.

22 4. This chapter shall not be construed to create a private
23 right of action under this chapter or any other law.

24 5. This section shall not be construed to make a developer
25 of an artificial intelligence model liable solely because a
26 third party used the developer's artificial intelligence model
27 to create or train a conversational AI service.

28 **Sec. 7. APPLICABILITY.** This Act applies July 1, 2027.>

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