

House File 2507 - Introduced

HOUSE FILE 2507
BY COMMITTEE ON HEALTH AND HUMAN
SERVICES

(SUCCESSOR TO HSB 611)

A BILL FOR

- 1 An Act establishing requirements and guidelines for
- 2 conversational AI services, and providing civil penalties, and
- 3 including applicability provisions.
- 4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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1 Section 1. NEW SECTION. **554J.1 Definitions.**

2 For the purposes of this chapter:

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

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

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

14 (1) Primarily designed and marketed for research and
15 development purposes.

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

20 (3) Designed to provide outputs relating to a narrow and
21 discrete topic.

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

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

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

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

31 4. "Operator" means a person who develops and makes a
32 conversational AI service available to the public. "Operator"
33 does not include a mobile device application store or a search
34 engine solely because the mobile device application store or a
35 search engine provides access to a conversational AI service.

1 5. "Sexually explicit conduct" means the same as defined in
2 18 U.S.C. §2256.

3 6. "Visual depiction" means the same as defined in 18 U.S.C.
4 §2256.

5 Sec. 2. NEW SECTION. **554J.2 Conversational AI services —**
6 **minors — requirements.**

7 1. An operator shall clearly and conspicuously disclose to a
8 minor account holder that the minor account holder is interacting
9 with artificial intelligence through any of the following:

10 a. A persistent visible disclaimer.

11 b. All of the following:

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

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

18 2. An operator shall not provide a minor user with points
19 or similar rewards at unpredictable intervals with the intent to
20 encourage increased engagement with the operator's conversational
21 AI service.

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

25 a. Producing visual depictions of sexually explicit material.

26 b. Stating that the minor account holder should engage in
27 sexually explicit conduct.

28 c. Sexually objectifying the minor account holder.

29 4. An operator shall institute reasonable measures to
30 prevent the operator's conversational AI service from generating
31 statements that would lead a reasonable individual to believe
32 that the individual is interacting with a human, including but
33 not limited to all of the following:

34 a. Explicit claims that the conversational AI service is
35 sentient or human.

1 b. Statements that simulate emotional dependence on a minor
2 account holder.

3 c. Statements that simulate a romantic interaction or a
4 sexual innuendo.

5 d. Role-playing an adult-minor romantic relationship.

6 5. a. An operator shall offer tools for minor account
7 holders to manage the minor account holder's privacy and account
8 settings.

9 b. An operator shall offer tools for the parent or guardian
10 of a minor account holder to manage the minor account holder's
11 privacy and account settings if the minor is under thirteen years
12 of age.

13 c. An operator shall offer tools for the parent or guardian
14 of a minor account holder to manage the minor account holder's
15 privacy and account settings if the minor has additional risk
16 factors identified by the attorney general by rule.

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

18 An operator shall clearly and conspicuously disclose using a
19 persistent visible disclaimer that the operator's conversational
20 AI service is artificial intelligence if a reasonable individual
21 interacting with the conversational AI service would believe that
22 the individual is interacting with a human.

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

25 An operator shall adopt protocols for the operator's
26 conversational AI service for responding to user prompts
27 regarding suicidal ideation or self-harm that includes but is not
28 limited to making reasonable efforts to refer the user to crisis
29 service providers such as a suicide hotline, crisis text line, or
30 other appropriate crisis service.

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

32 An operator shall not knowingly and intentionally cause or
33 program a conversational AI service to make a representation or
34 statement that would lead a reasonable individual to believe that
35 the conversational AI service is designed to provide professional

1 psychology or behavioral health services that an individual would
2 require licensure under chapter 154B or 154D to provide.

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

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

6 a. Actual damages.

7 b. A civil penalty of one thousand dollars per violation, up
8 to a maximum of five hundred thousand dollars per operator.

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

12 3. This chapter shall not be construed to create a private
13 right of action under this chapter or any other law.

14 4. This section shall not be construed to make a developer
15 of an artificial intelligence model liable solely because a
16 third party used the developer's artificial intelligence model to
17 create or train a conversational AI service.

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

19 **EXPLANATION**

20 The inclusion of this explanation does not constitute agreement with
21 the explanation's substance by the members of the general assembly.

22 This bill relates to requirements and guidelines for
23 conversational AI services (AI services).

24 The bill defines "conversational AI service" as an artificial
25 intelligence, available by software application, web interface,
26 or computer program, that is accessible to the general public
27 and that has the primary purpose of simulating human conversation
28 and interaction through text, audio communication, or visual
29 communication. The bill lists exceptions to the definition of
30 AI service.

31 The bill defines "operator" as a person who develops and makes
32 an AI service available to the public. The bill lists exceptions
33 to the definition of "operator".

34 The bill also defines "account holder", "minor", "sexually
35 explicit conduct", and "visual depiction".

1 The bill requires an operator to clearly and conspicuously
2 disclose to a minor account holder (minor) that the minor is
3 interacting with artificial intelligence through a persistent
4 visible disclaimer or a disclaimer that appears at the beginning
5 of each interaction between the operator's AI service and a minor
6 and at least once every three hours of continuous interaction
7 between the minor and the AI service.

8 The bill prohibits an operator from providing a minor with
9 points or similar rewards at unpredictable intervals with the
10 intent to encourage increased engagement with the operator's AI
11 service.

12 The bill requires an operator to prevent the operator's AI
13 service from taking certain actions as described in the bill for
14 a minor.

15 The bill requires an operator to institute reasonable measures
16 to prevent the operator's AI service from leading a reasonable
17 individual to believe the individual is interacting with a human.
18 If the AI service would lead a reasonable individual to believe
19 the individual is interacting with a human, the operator must
20 clearly and conspicuously disclose using a persistent visible
21 disclaimer that the AI service is artificial intelligence.

22 The bill requires, in circumstances detailed in the bill,
23 an operator to provide tools to a minor, a minor's parent or
24 guardian, or both that will allow the individual to manage the
25 minor's privacy and account settings.

26 The bill requires an operator to adopt protocols for the
27 operator's AI service that would respond as detailed in the bill
28 to user prompts of suicidal ideation or self-harm.

29 The bill prohibits an operator from knowingly and
30 intentionally causing or programming an AI service to make a
31 representation or statement that would lead a reasonable person
32 to believe the AI service is designed to provide professional
33 psychology services or behavioral health services that would
34 require licensure.

35 The bill requires the attorney general to enforce the bill and

1 adopt rules to administer the bill.

2 An operator in violation of the bill is subject to an
3 injunction and the greater of actual damages or a civil penalty
4 of \$1,000 per violation, up to a maximum of \$500,000 per
5 operator.

6 The bill does not create a private right of action and
7 shall not be construed to make a developer of an artificial
8 intelligence model liable solely because a third party used the
9 developer's artificial intelligence model to create or train an
10 AI service.

11 The bill applies July 1, 2027.

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