

**House Study Bill 647 - Introduced**

HOUSE FILE \_\_\_\_\_  
BY (PROPOSED COMMITTEE ON  
ECONOMIC GROWTH AND  
TECHNOLOGY BILL BY  
CHAIRPERSON SORENSEN)

**A BILL FOR**

1 An Act relating to chatbots, including deployer requirements and  
2 interactions with minors.  
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

unofficial

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

2 1. "Artificial intelligence" means a machine-based system  
3 that, for any explicit or implicit objective, infers from the  
4 input the system receives to generate output that can influence  
5 physical or virtual environments.

6 2. "Chatbot" means an artificial intelligence that interacts  
7 with users by simulating human conversation.

8 3. "Deployer" means a person that owns an artificial  
9 intelligence available for public use.

10 4. "Minor" means an individual who is under eighteen years of  
11 age.

12 5. "Output" means new content an artificial intelligence  
13 generates based on a user's input in relation to the data  
14 used to train the artificial intelligence. "Output" includes  
15 but is not limited to audio-visual media, images, predictions,  
16 recommendations, and text.

17 6. "Reasonable age verification" means verifying the age of a  
18 user through any of the following:

19 a. Government-issued identification.

20 b. Financial documents that are reliable evidence of an  
21 individual's age.

22 c. A widely accepted practice that reliably evidences an  
23 individual's age.

24 Sec. 2. NEW SECTION. **554J.2 Chatbots — general deployer**  
25 **requirements.**

26 A deployer of a chatbot shall do all of the following:

27 1. Implement and maintain protocols meant to detect, respond  
28 to, report, and mitigate harm the chatbot may cause a user in a  
29 manner that prioritizes the safety and well-being of users over  
30 the deployer's interests.

31 2. Limit the collection and storage of user information  
32 collected by the chatbot to what is necessary to fulfill the  
33 deployer's purpose for making the chatbot publicly available.

34 Sec. 3. NEW SECTION. **554J.3 Chatbot interactions with**  
35 **minors.**

1 1. A deployer shall implement reasonable age verification  
2 measures to ensure that a minor cannot use or purchase a chatbot  
3 the deployer makes publicly available.

4 2. Notwithstanding subsection 1, a deployer may make a  
5 chatbot available for a minor's use or purchase if all of the  
6 following apply:

7 a. The chatbot was designed for the primary purpose of  
8 providing mental health support, counseling, or therapy by  
9 diagnosing, treating, mitigating, or preventing a mental health  
10 condition.

11 b. The chatbot provides a clear and conspicuous disclaimer  
12 at the beginning of each interaction with the chatbot that the  
13 chatbot is an artificial intelligence and is not a licensed  
14 professional.

15 c. The chatbot was recommended for the minor's use by an  
16 individual licensed under chapter 154B or 154D after performing  
17 an evaluation of the minor.

18 d. The chatbot's developer has significant documentation of  
19 how the chatbot was tested.

20 e. Peer-reviewed clinical trial data exists demonstrating  
21 the chatbot would be a safe, effective tool for the minor's  
22 diagnosis, treatment, mitigation, or prevention of a mental  
23 health condition.

24 f. The chatbot's deployer provided clear disclosures of the  
25 chatbot's functions, limitations, and data privacy policies to  
26 the individual recommending the chatbot under paragraph "c", and  
27 to the minor's parents, guardians, or custodians.

28 g. The chatbot's deployer developed and implemented protocols  
29 for testing the chatbot for risks to users, identifying possible  
30 risks the chatbot poses to users, mitigating risks the chatbot  
31 poses to users, and quickly rectifying harm the chatbot may have  
32 caused a user.

33 Sec. 4. NEW SECTION. **554J.4 Enforcement.**

34 1. The attorney general may bring an action on behalf of the  
35 state to enforce the provisions of this chapter and may seek an

1 injunction for violations of this chapter.

2 2. a. A court may issue a civil penalty of not more than two  
3 thousand five hundred dollars for each violation of this chapter,  
4 or seven thousand five hundred dollars if a person violates an  
5 injunction issued under this chapter.

6 b. Penalties assessed under this subsection shall be  
7 deposited into the general fund of the state.

8 3. The parent, guardian, or custodian of a minor who uses  
9 a chatbot that does not comply with this chapter may bring an  
10 action to recover a civil penalty of not less than one hundred  
11 dollars but not more than seven hundred fifty dollars or actual  
12 damages, whichever is greater.

13 EXPLANATION

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

16 This bill relates to chatbots.

17 The bill defines "artificial intelligence" as a machine-based  
18 system that, for any explicit or implicit objective, infers  
19 from the input the system receives to generate output that can  
20 influence physical or virtual environments.

21 The bill defines "chatbot" as an artificial intelligence that  
22 interacts with users by simulating human conversation.

23 The bill defines "deployer" as a person that owns an  
24 artificial intelligence available for public use.

25 The bill also defines "minor", "output", and "reasonable age  
26 verification".

27 The bill requires a deployer of a chatbot to implement  
28 and maintain protocols meant to detect, respond to, report,  
29 and mitigate harm the chatbot may cause a user in a manner  
30 that prioritizes the safety and well-being of users over the  
31 deployer's interests, and limit the collection and storage of  
32 user information collected by the chatbot to what is necessary  
33 to fulfill the deployer's purpose for making the chatbot publicly  
34 available.

35 The bill requires a deployer to implement reasonable age

1 verification measures to ensure that a minor cannot use or  
2 purchase a chatbot the deployer makes publicly available.  
3 However, the bill permits a deployer to make a chatbot available  
4 for a minor's mental health support, counseling, or therapy if  
5 the chatbot meets certain requirements as detailed in the bill.

6 The bill allows the attorney general to bring an action on  
7 behalf of the state to enforce the bill's provisions and seek  
8 an injunction for violations of the bill. A court may issue a  
9 civil penalty of not more than \$2,500 for each violation of the  
10 bill, or \$7,500 if a person violates an injunction issued under  
11 the bill. Penalties awarded to the state under the bill shall be  
12 deposited into the general fund of the state.

13 The bill allows a parent, guardian, or custodian of a minor  
14 who uses a chatbot that does not comply with the bill to bring an  
15 action to recover a civil penalty of not less than \$100 but not  
16 more than \$750 or actual damages, whichever is greater.