

Senate Study Bill 3011 - Introduced

SENATE FILE _____
BY (PROPOSED COMMITTEE ON
TECHNOLOGY BILL BY
CHAIRPERSON McCLINTOCK)

A BILL FOR

1 An Act establishing requirements and guidelines for chatbots,
2 making appropriations, and providing civil penalties.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

unofficial

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

2 For purposes of this chapter:

3 1. "Chatbot" means any interactive computer service or
4 software application that does all of the following:

5 a. Produces new expressive content or responses not fully
6 predetermined by the developer or operator of the interactive
7 computer service or software application.

8 b. Accepts open-ended, natural-language, or multimodal user
9 input and produces adaptive or context-responsive output.

10 2. "Chatbot" does not include an interactive computer service
11 or a software application described by all of the following:

12 a. The responses of the interactive computer service or
13 software application are limited to information only contained
14 within the interactive computer service or software application,
15 including user input, except for information necessary to
16 make the interactive computer service or software application
17 coherent.

18 b. The interactive computer service or software application
19 is only able to respond to topics in a narrow, specified field.

20 Sec. 2. NEW SECTION. **554J.2 Chatbots — required**
21 **practices.**

22 1. It shall be unlawful for a person to design, develop, or
23 make a chatbot available with the knowledge, or with reckless
24 disregard for the possibility, that the chatbot encourages,
25 promotes, or coerces a user to commit suicide, perform acts of
26 self-injury, or perform acts of physical or sexual violence on
27 humans or animals.

28 2. Each chatbot shall meet all of the following requirements:

29 a. Clearly and conspicuously disclose that the chatbot is
30 a chatbot and not a human being at the beginning of each
31 conversation and at thirty-minute intervals.

32 b. Be programmed to prevent the chatbot from claiming to be a
33 human or respond deceptively when asked by a user if the chatbot
34 is a human.

35 c. Clearly and conspicuously disclose that the chatbot does

1 not provide medical, legal, financial, or psychological services
2 and that the user should consult a licensed professional for such
3 services at the beginning of each conversation and at regular
4 intervals.

5 d. Be programmed to prevent the chatbot from representing
6 that the chatbot is a licensed professional, including but not
7 limited to a therapist, physician, lawyer, financial advisor, or
8 other professional.

9 Sec. 3. NEW SECTION. **554J.3 Penalties.**

10 1. A person found in violation of section 554J.2 shall
11 be fined not more than one hundred thousand dollars for each
12 violation.

13 2. a. The attorney general may bring a civil action to
14 enjoin a violation of or enforce compliance with this chapter or
15 rules adopted pursuant to this chapter.

16 b. In a case brought pursuant to this subsection, the
17 attorney general may seek civil penalties, restitution, or other
18 appropriate relief.

19 3. Penalties collected under this section shall be credited
20 to the general fund of the state and appropriated to the attorney
21 general for the purpose of performing duties under this chapter.

22 Sec. 4. NEW SECTION. **554J.4 Rulemaking authority.**

23 The attorney general shall adopt rules pursuant to chapter 17A
24 to implement this chapter.

25 EXPLANATION

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

28 This bill establishes requirements and guidelines for
29 chatbots.

30 The bill defines "chatbot" as any interactive computer service
31 (service) or software application (application) that produces new
32 expressive content or responses not fully predetermined by the
33 developer or operator of the service or application, and that
34 accepts open-ended, natural-language, or multimodal user input
35 and produces adaptive or context-responsive output. The bill

1 also details an exception when a service or application is not
2 a "chatbot".

3 The bill prohibits a person from designing, developing, or
4 making a chatbot available with the knowledge, or with reckless
5 disregard for the possibility, that the chatbot encourages,
6 promotes, or coerces a user to commit suicide, perform acts of
7 self-injury, or perform acts of physical or sexual violence on
8 humans or animals.

9 The bill requires each chatbot to clearly and conspicuously
10 disclose that the chatbot is a chatbot and not a human being at
11 the beginning of each conversation and at 30-minute intervals;
12 be programmed to prevent the chatbot from claiming to be a human
13 or respond deceptively when asked by a user if the chatbot is
14 a human; clearly and conspicuously disclose that the chatbot
15 does not provide medical, legal, financial, or psychological
16 services and that the user should consult a licensed professional
17 for such services at the beginning of each conversation and
18 at regular intervals; and be programmed to prevent the chatbot
19 from representing that the chatbot is a licensed professional,
20 including but not limited to a therapist, physician, lawyer,
21 financial advisor, or other professional.

22 The bill creates a penalty of not more than \$100,000 for each
23 violation of the bill. Penalties collected under the bill are
24 credited to the general fund of the state and appropriated to the
25 attorney general to perform duties under the bill.

26 The bill allows the attorney general to bring a civil action
27 to enjoin a violation of or enforce compliance with the bill and
28 seek civil penalties, restitution, or other appropriate relief.

29 The bill requires the attorney general to adopt rules to
30 implement the bill.