

1 H.804

2 Introduced by Representative Mrowicki of Putney

3 Referred to Committee on

4 Date:

5 Subject: Commerce and trade; artificial intelligence; companion chatbots

6 Statement of purpose of bill as introduced: This bill proposes to require
7 operators of companion chatbots to disclose to its users that its chatbots use
8 artificial intelligence and to create a protocol that protects its users from
9 suicidal content and, for minors, sexually explicit content.

10 An act relating to companion chatbots

11 Sec. 1. 9 V.S.A. chapter 118 is added to read:

12 CHAPTER 118. ARTIFICIAL INTELLIGENCE

13 Subchapter 1. Companion Chatbots

14 § 4193a. DEFINITIONS

15 As used in this subchapter:

16 (1) “Artificial intelligence” means an engineered or machine-based
17 system that varies in its level of autonomy and that can, for explicit or implicit
18 objectives, infer from the input it receives how to generate outputs that can
19 influence physical or virtual environments.

1 (2)(A) “Companion chatbot” means an artificial intelligence system
2 with a natural language interface that provides adaptive, humanlike responses
3 to user inputs and is capable of meeting a user’s social needs, including by
4 exhibiting humanlike features and being able to sustain a relationship across
5 multiple interactions.

6 (B) “Companion chatbot” does not include any of the following:

7 (i) a chatbot that is used solely:

8 (I) for customer service;

9 (II) for the operational purposes of a business;

10 (III) to conduct internal research; or

11 (IV) to provide technical assistance;

12 (ii) a chatbot that is a feature of a video game and is limited to
13 replies related to the video game that cannot discuss topics related to mental
14 health, self-harm, or sexually explicit conduct or maintain a dialogue on other
15 topics unrelated to the video game; or

16 (iii) a stand-alone consumer electronic device that functions as a
17 speaker and voice command interface, acts as a voice-activated virtual
18 assistant, and does not sustain a relationship across multiple interactions or
19 generate outputs that are likely to elicit emotional responses in the user.

20 (3) “Companion chatbot platform” means a platform that allows a user
21 to engage with companion chatbots.

1 (4) “Minor” means a user 17 years of age or younger.

2 (5) “Operator” means a person who makes a companion chatbot
3 platform available to a user.

4 (6) “Sexually explicit conduct” has the same meaning as defined in 18
5 U.S.C. § 2256, as may be amended.

6 (7) “User” is a Vermont resident who is engaged in the use of a
7 companion chatbot platform.

8 (8) “Video game” means a game played on an electronic amusement
9 device that utilizes a computer, microprocessor, or similar electronic circuitry
10 and its own monitor, or is designed to be used with a television set or a
11 computer monitor, that interacts with the user of the device.

12 § 4193b. REQUIREMENTS

13 (a) Notice. If a user interacting with a companion chatbot could be
14 reasonably misled to believe that the user is interacting with a human, an
15 operator shall issue a clear and conspicuous notification to the individual
16 indicating that the companion chatbot is artificially generated and not human.
17 The text of the notification shall appear in the same language and in a size
18 easily readable by the average viewer.

1 (b) Protocol.

2 (1) An operator shall prevent a companion chatbot on its companion
3 chatbot platform from engaging with a user unless the operator implements and
4 maintains a protocol for preventing the companion chatbot from:

5 (A) producing suicidal ideation, suicide, or self-harm content to the
6 user; and

7 (B) ignoring a user that is expressing thoughts of suicidal ideation,
8 suicide, or self-harm.

9 (2) The protocol required in subdivision (1) of this subsection shall:

10 (A) at minimum, provide a notification to the user that refers the user
11 to crisis service providers if the user expresses suicidal ideation, suicide, or
12 self-harm;

13 (B) be developed using commercially reasonable and technically
14 feasible methods; and

15 (C) be published on the operator's website.

16 (c) Minors. An operator shall, for a user that the operator knows is a
17 minor, do the following:

18 (1) immediately disclose to the user in a clear and conspicuous manner
19 that the user is interacting with artificial intelligence;

20 (2) provide a clear and conspicuous notification to the user at least every
21 30 minutes for continuing companion chatbot interactions that reminds the user

1 to take a break and that the companion chatbot is artificially generated and not
2 human; and

3 (3) institute a protocol to prevent its companion chatbot from producing
4 visual material of sexually explicit conduct or directly stating that the minor
5 should engage in sexually explicit conduct.

6 § 4193c. REPORTING

7 (a) Beginning one year after the effective date of this act, an operator shall
8 annually report to the Office of the Attorney General all of the following:

9 (1) the number of times in the preceding calendar year the operator has
10 issued a crisis service provider referral notification pursuant to subdivision
11 4193b(b)(2)(A) of this subchapter; and

12 (2) the protocols put in place by the operator to:

13 (A) detect and respond to expressions of suicidal ideation or self-
14 harm by users; and

15 (B) prohibit the companion chatbot from producing content about
16 suicidal ideation, suicide, or self-harm with the user.

17 (b) The reporting required by this section shall include only the
18 information listed in subsection (a) of this section and shall not include any
19 identifiers or personal information about users.

20 (c) The Office of the Attorney General shall post on its website the data
21 from a report received pursuant to this section.

1 § 4193d. ENFORCEMENT

2 (a) A person who violates this subchapter or rules adopted pursuant to this
3 subchapter commits an unfair and deceptive act in commerce in violation of
4 section 2453 of this title.

5 (b) The Attorney General shall have the same authority under this
6 subchapter to make rules, conduct civil investigations, bring civil actions, and
7 enter into assurances of discontinuance as provided under chapter 63 of this
8 title.

9 Sec. 2. EFFECTIVE DATE

10 This act shall take effect on July 1, 2026.