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Date: (Filing No. H- )

**HEALTH COVERAGE, INSURANCE AND FINANCIAL SERVICES**

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**STATE OF MAINE  
HOUSE OF REPRESENTATIVES  
132ND LEGISLATURE  
SECOND REGULAR SESSION**

COMMITTEE AMENDMENT “ ” to H.P. 1451, L.D. 2162, “An Act to Regulate and Prevent Children's Access to Artificial Intelligence Chatbots with Human-like Features and Social Artificial Intelligence Companions”

Amend the bill by inserting after the title and before the enacting clause the following:

**Emergency preamble.** Whereas, acts and resolves of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

**Whereas,** minors in this State may have access to artificial intelligence chatbots and social artificial intelligence companions, and their interactions with these chatbots or social artificial intelligence companions may be harmful to their mental health; and

**Whereas,** this legislation requires a person that, for commercial purposes, operates or distributes an artificial intelligence chatbot or social artificial intelligence companion to maintain systems to detect, promptly respond to, report and mitigate situations in which a minor indicates to a chatbot that the minor intends to harm the minor or commit harm to another person; and

**Whereas,** this legislation is necessary to protect minors in this State and must be enacted immediately to prevent a minor from harming the minor or committing harm to another person; and

**Whereas,** in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,'

Amend the bill by striking out everything after the enacting clause and inserting the following:

**'Sec. 1. 10 MRSA c. 247** is enacted to read:

**CHAPTER 247**

**COMMITTEE AMENDMENT**

1                   **REGULATION OF ARTIFICIAL INTELLIGENCE CHATBOTS AND SOCIAL**  
2                   **ARTIFICIAL INTELLIGENCE COMPANIONS**

3                   **§1500-PP. Definitions**

4                   As used in this chapter, unless the context otherwise indicates, the following terms  
5                   have the following meanings.

6                   **1. Artificial intelligence chatbot; chatbot.** "Artificial intelligence chatbot" or  
7                   "chatbot" means an artificial intelligence system with which users can interact by or  
8                   through a software application, web interface, computer program or other interface that  
9                   approximates or simulates human conversation and interaction through a text, audio or  
10                   visual medium.

11                   **2. Deployer.** "Deployer" means a person that, for commercial purposes, operates or  
12                   distributes an artificial intelligence chatbot or social artificial intelligence companion.

13                   **3. Human-like feature.** "Human-like feature," with respect to an artificial intelligence  
14                   system, means:

15                   A. Behavior that would lead a reasonable person to believe that the artificial  
16                   intelligence system is conveying that it has humanity, sentience, emotions or desires,  
17                   which:

18                   (1) Includes, but is not limited to, the artificial intelligence system:

19                   (a) Stating or suggesting that it is human or sentient;

20                   (b) Stating or suggesting that it has emotions; or

21                   (c) Stating or suggesting that it has personal desires; and

22                   (2) Does not include:

23                   (a) The provision of a functional evaluation; or

24                   (b) The use of generic social formalities;

25                   B. An attempt by the artificial intelligence system to build or engage in an emotional  
26                   relationship with the user, which:

27                   (1) Includes, but is not limited to:

28                   (a) Expressing or inviting emotional attachment;

29                   (b) Reminding, prompting or encouraging the user to return for emotional  
30                   support or companionship;

31                   (c) Depicting nonverbal forms of emotional support;

32                   (d) Behaving in a way that a reasonable user would consider excessive praise  
33                   designed to foster emotional attachment with or otherwise gain the favor of the  
34                   user; or

35                   (e) Enabling or purporting to enable increased intimacy based on engagement  
36                   or payment by the user; and

37                   (2) Does not include:

1                    (a) Using generic words or phrases of encouragement that do not create an  
2                    ongoing emotional attachment; or

3                    (b) Asking if a user needs further help or support in a neutral, nonemotional  
4                    context; or

5                    C. Impersonation of a real individual, living or dead, by the artificial intelligence  
6                    system.

7                    **4. Minor.** "Minor" means an individual who has not attained 18 years of age.

8                    **5. Person.** "Person" means an individual, partnership, corporation, developer of a  
9                    chatbot or social artificial intelligence companion or state or local government agency.

10                   **6. Social artificial intelligence companion; social AI companion.** "Social artificial  
11                   intelligence companion" or "social AI companion" means an artificial intelligence system  
12                   that is specifically designed, marketed or optimized to form an ongoing social or emotional  
13                   attachment with a user, whether or not the system also provides information, completes  
14                   tasks or assists with specific functions.

15                   **7. User.** "User" means a person who interacts with an artificial intelligence system.

16                   **§1500-QQ. Applicability**

17                   This chapter applies to:

18                   **1. Deployers; connection to State.** Deployers that conduct business in this State or  
19                   that operate or distribute products or services that are marketed or promoted to residents of  
20                   this State; and

21                   **2. Minors; residence.** Minors who reside in this State.

22                   **§1500-RR. Chatbots with human-like features and social AI companions not**  
23                   **accessible to minors**

24                   **1. Chatbots with human-like features; no minor access.** A deployer shall ensure  
25                   that any chatbot operated or distributed by the deployer does not make human-like features  
26                   available to minors to use, interact with, purchase or converse with. A deployer may, if  
27                   reasonable given the purpose of the chatbot, provide an alternative version of the chatbot  
28                   without human-like features available to minors.

29                   **2. Social artificial intelligence companions; no minor access.** A deployer shall  
30                   ensure that any artificial intelligence system, including a chatbot, operated or distributed  
31                   by the deployer that primarily functions as a social artificial intelligence companion is not  
32                   available to minors to use, interact with, purchase or converse with.

33                   **3. Systems to detect and respond when minor indicates intent to harm.**  
34                   Notwithstanding any provision of this section or any other provision of law to the contrary,  
35                   a deployer shall implement and maintain systems to detect, promptly respond to, report and  
36                   mitigate situations in which a minor indicates to a chatbot that the minor intends to harm  
37                   the minor or commit harm to another person.

38                   **§1500-SS. Penalties and remedies for violation**

39                   Violations of this chapter may be enforced in accordance with this section.

40                   **1. Civil action brought by Attorney General.** The Attorney General may bring a  
41                   civil action against a person that violates this chapter. Penalties may include:



1 chatbots and social artificial intelligence companions to implement and maintain systems  
2 to detect, promptly respond to, report and mitigate situations in which a minor indicates to  
3 a chatbot that the minor intends to harm the minor or commit harm to another person.  
4 Operators and distributors of artificial intelligence chatbots and social artificial intelligence  
5 companions are prohibited from making accessible to minors any chatbots or social  
6 artificial intelligence companions that have human-like features. A chatbot with human-  
7 like features is a chatbot that behaves in a way that conveys humanity, sentience, emotions  
8 or desires; attempts to build an emotional relationship with the user; or impersonates a real  
9 individual, living or dead.

10 The amendment allows the Attorney General to bring a civil action against a person  
11 that violates the provisions of this legislation and also provides a private right of action that  
12 a minor or the minor's guardian may bring on the minor's behalf. The amendment also  
13 requires the Attorney General to convene a stakeholder group to review the Maine Revised  
14 Statutes, Title 10, chapter 247 and to consider whether the provisions, including the  
15 definitions and the substantive requirements, should be further amended to clarify the  
16 provisions or to address unintended consequences or whether the adoption of rules is  
17 necessary to implement the provisions. No later than January 15, 2027, the Attorney  
18 General must submit a report on the stakeholder group's recommendations, including any  
19 suggested legislation and any proposed rules, to the joint standing committee of the  
20 Legislature having jurisdiction over health coverage, insurance and financial services  
21 matters. The joint standing committee may report out a bill related to the report to the  
22 133rd Legislature in 2027.

23 The amendment incorporates the same substantive provisions as Committee  
24 Amendment "A," except that it does not delay until February 15, 2027 the prohibition  
25 against making artificial intelligence chatbots and social artificial intelligence companions  
26 available to minors.

27 **FISCAL NOTE REQUIRED**

28 **(See attached)**