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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 striking out the title and substituting the following:

'An Act to Regulate Artificial Intelligence Companion Models'

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

REGULATION OF ARTIFICIAL INTELLIGENCE COMPANION MODELS

§1500-PP. Definitions

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

1. Artificial intelligence; artificial intelligence technology; AI. "Artificial intelligence," "artificial intelligence technology" or "AI" means a machine-based system that can, for a given set of human-defined objectives:

- A. Make predictions, recommendations or decisions influencing real or virtual environments;
- B. Use machine-based and human-based inputs to perceive real and virtual environments and abstract such perceptions into models through analysis in an automated manner; and
- C. Use model influence to formulate options for information or action.

COMMITTEE AMENDMENT

1 **2. AI companion.** "AI companion" means a system using artificial intelligence,
2 generative artificial intelligence or emotional recognition algorithms designed to simulate
3 a sustained human or human-like relationship, including, but not limited to, intimate,
4 romantic or platonic interactions or companionship, with a user by:

5 A. Retaining information on prior interactions or user sessions and user preferences to
6 personalize the interaction and facilitate ongoing engagement with the AI companion;

7 B. Asking unprompted or unsolicited emotion-based questions that go beyond a direct
8 response to a user prompt; and

9 C. Sustaining an ongoing dialogue concerning matters personal to the user.

10 "AI companion" does not include a system used by a business entity solely for customer
11 service or to strictly provide users with information about available commercial services or
12 products offered for sale by that business entity, with customer account information or
13 other information strictly related to its customer service; a system that is primarily designed
14 and marketed for providing efficiency improvements or research or technical assistance; or
15 a system used by a business entity solely for internal purposes or employee productivity.

16 **3. AI model.** "AI model" means a component of an information system that
17 implements artificial intelligence technology and uses computational, statistical or
18 machine-learning techniques to produce outputs from a given set of inputs.

19 **4. Emotional recognition algorithms.** "Emotional recognition algorithms" means
20 artificial intelligence that detects and interprets human emotional signals in text using
21 natural language processing and sentiment analysis, in audio using voice emotion analysis,
22 in video, using facial movement analysis, gait analysis or physiological analysis, or a
23 combination of text, audio and video.

24 **5. Generative artificial intelligence.** "Generative artificial intelligence" means a
25 class of AI models that emulate the structure and characteristics of input data to generate
26 derived synthetic content, including, but not limited to, images, video, audio, text or other
27 digital content.

28 **6. Operator.** "Operator" means any person, partnership, association, firm or business
29 entity, or any member, affiliate, subsidiary or beneficial owner of any partnership,
30 association, firm or business entity, who operates or provides an AI companion to a user.

31 **7. Person.** "Person" means a natural person.

32 **8. Self-harm.** "Self-harm" means intentional self-injury with or without the intent to
33 cause death.

34 **9. User.** "User" means a person who uses an AI companion for personal use within
35 the State and who is not an operator, or an agent or affiliate of an operator.

36 **§1500-QQ. Requirements for operator of AI companion**

37 An operator may not operate or provide an AI companion to a user unless the AI
38 companion contains a protocol to take reasonable efforts for detecting or addressing
39 suicidal ideation or expressions of self-harm expressed by a user to the AI companion that
40 includes, but is not limited to, detection of user expressions of suicidal ideation or self-
41 harm, and a notification to the user that refers the user to crisis service providers such as
42 the 9-8-8 suicide prevention and behavioral health crisis hotline, a crisis text line or other

1 appropriate crisis services upon detection of the user's expressions of suicidal ideation or
2 self-harm.

3 **§1500-RR. Notification**

4 An operator shall provide a clear and conspicuous notice to a user at the beginning of
5 any AI companion interaction that the user is not communicating with a human being. The
6 notice may be provided to the user verbally or in writing and must be provided at least once
7 per day for a single AI companion interaction and at least every 3 hours for continuing AI
8 companion interactions.

9 **§1500-SS. Enforcement**

10 **1. Civil action brought by Attorney General.** Whenever the Attorney General
11 believes from evidence satisfactory to the Attorney General that an operator has engaged
12 in or is about to engage in any of the acts or practices in violation of this chapter, the
13 Attorney General may bring a civil action against a person that violates this chapter.
14 Penalties may include:

- 15 A. An order to enjoin a violation of this chapter;
- 16 B. A civil penalty of up to \$15,000 per day for a violation of this chapter; or
- 17 C. Such other remedies as the court may deem appropriate.

18 **2. Disposition of fees, fines and penalties.** All fees, fines and penalties collected
19 under this chapter must be deposited into the Suicide Prevention Fund established in section
20 1500-TT.

21 **§1500-TT. Suicide Prevention Fund**

22 **1. Fund established.** The Suicide Prevention Fund, referred to in this section as "the
23 fund," is established as a dedicated, nonlapsing fund administered by the Attorney General
24 for the purposes of funding initiatives supporting suicide prevention, education and
25 awareness programs. The fund must receive money from any fees, fines and penalties
26 collected under this chapter and may receive money from any gift, grant, contribution,
27 legislative appropriation, allocation or transfer. The money in the fund may be used only
28 for the purposes described in this subsection and paying fund administration costs.

29 **2. Report.** Beginning January 15, 2028 and annually thereafter, the Attorney General
30 shall report annually to the joint standing committee of the Legislature having jurisdiction
31 over the regulation of artificial intelligence matters on the money in the fund and any
32 disbursement of funding for the purposes described in this subsection during the previous
33 calendar year.

34 **Sec. 2. Appropriations and allocations.** The following appropriations and
35 allocations are made.

36 **ATTORNEY GENERAL, DEPARTMENT OF THE**

37 **Suicide Prevention Fund N490**

38 Initiative: Establishes the Suicide Prevention Fund with a base Other Special Revenue
39 Funds allocation.

40 OTHER SPECIAL REVENUE FUNDS	2025-26	2026-27
41 All Other	\$0	\$500

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OTHER SPECIAL REVENUE FUNDS TOTAL	\$0	\$500
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Amend the bill by relettering or renumbering any nonconsecutive Part letter or section number to read consecutively.

SUMMARY

This amendment replaces the bill and changes the title. The amendment requires operators of artificial intelligence companions to implement protocols for detecting and addressing user expressions of suicidal ideation or self-harm. The amendment requires operators to provide clear and conspicuous notice to users that the user is not communicating with a human. The amendment authorizes the Attorney General to bring a civil action against an operator that violates the provisions of this legislation and to seek penalties of up to \$15,000 per day for a violation. Any penalties collected based on violations must be deposited into the newly established Suicide Prevention Fund and, beginning January 15, 2027, the Attorney General is required to submit annual reports on the use of the fund.

FISCAL NOTE REQUIRED

(See attached)