



TECHNET
THE VOICE OF THE
INNOVATION ECONOMY

TechNet Northeast
Boston, MA 02108
www.technet.org

February 18, 2026

The Honorable Donna Bailey, Senate Chair
The Honorable Kristi Mathleson, House Chair
Joint Committee on Health Coverage, Insurance, and Financial Services
Maine Legislature

Re: LD 2162 – An Act to Regulate and Prevent Children’s Access to Artificial Intelligence Chatbots with Human-like Features and Social Artificial Intelligence Companions

Dear Chair Bailey, Chair Mathleson, and honorable members of the Committee:

TechNet is the national, bipartisan network of technology companies that promotes the growth of the innovation economy by advocating a targeted policy agenda at the federal and 50-state level. TechNet’s diverse membership includes 100 dynamic American businesses ranging from startups to the most iconic companies on the planet and represents five million employees and countless customers in the fields of information technology, artificial intelligence, e-commerce, the sharing and gig economies, advanced energy, transportation, cybersecurity, venture capital, and finance.

I write seeking amendments to LD 2162. While we share the sponsors’ goal of providing strong protections for youth online, we have concerns that the legislation as written would ban a broad swath of useful tools that do not pose a risk to minors, while stringent age verification requirements create constitutional issues and could lead to new vectors for privacy violations.

TechNet seeks the following amendments to create a more risk-based safety framework rather than outright prohibition, tailored definitions based on existing laws, and compliance and enforcement provisions that will enhance safety without harming privacy or innovation.

The definition of human-like features is overbroad and would cover a whole universe of general-purpose tools and features.

The bill as drafted would regulate AI tools based on “human-like features” and emotional tone, which is vague and risks capturing entertainment and character-based experiences, learning tools that include encouragement or motivational prompts, and other standard user experience elements that make AI accessible and pleasant to use, rather than manipulative or deceiving tactics.

In place of the definitions of and corresponding references to “human-like feature” and “social artificial intelligence companion” in section 1500-PP, TechNet recommends inserting the following definition from New York’s relevant law:

“AI companion” means a system using artificial intelligence, generative artificial intelligence, and/or emotional recognition algorithms designed to simulate a sustained human or human-like relationship with a user by:

(i) retaining information on prior interactions or user sessions and user preferences to personalize the interaction and facilitate ongoing engagement with the AI companion;

(ii) asking unprompted or unsolicited emotion-based questions that go beyond a direct response to a user prompt; and

(iii) sustaining an ongoing dialogue concerning matters personal to the user.

Prohibition and stringent age verification create constitutional and privacy risks while cutting off youth access to helpful tools and features.

An outright ban is a blunt policy instrument to address a nuanced issue. The bill as drafted would deprive Maine students of access to artistic and educational tools, homework and scheduling assistance, accessibility features, entertainment products, and more.

Mandating age verification requires platforms to collect sensitive data and risks creating new vectors for fraud or other privacy harms. The bill does not define “reasonable” measures or provide a compliance safe harbor, leaving companies exposed even when using privacy-preserving approaches. Traditional age-gating measures also present challenges in voice-first AI tools like smart speakers and wearables, as multiple household members of different ages may share a single device.

Similar age verification laws have been enjoined on constitutional grounds in California, Arkansas, Ohio, Mississippi, Utah, Tennessee, and Texas. In contrast, laws requiring specific safety features for *known* minors have not faced such constitutional scrutiny.

Unique privacy requirements and private enforcement create untenable litigation risks.

The bill includes data minimization language that would be unprecedented in the country and different from even the data privacy legislation passed by the Maine House of Representatives. Requirements to only collect information that “does not conflict with a user’s safety and well-being” lacks objective criteria and risks penalizing routine, consumer friendly practices. As with the comprehensive data privacy legislation, TechNet urges the committee to consider the data minimization and purpose limitation language adopted in all but one state comprehensive privacy law, requiring information collected to be adequate, relevant, and reasonably necessary in relation to the purposes for which such data is processed, as disclosed to the consumer.

These subjective definitions and novel concepts in this legislation paired with enforcement by both the state's Attorney General and a private right of action create an environment ripe for excessive litigation based on good-faith user experience and design choices. This risks stifling innovation and potential flight from the market that will deprive all Mainers of access to an ever-growing body of useful and innovative tools and features. We ask that the Committee amend to allow for AG exclusive enforcement.

Thank you for your consideration. TechNet welcomes the opportunity to work with the sponsor and the Committee to craft legislation that puts appropriate guardrails on youth access to AI-powered platforms without unconstitutional limitations or unnecessary damage to the state's innovation economy.

Sincerely,



Christopher Gilrein
Executive Director, Northeast
TechNet
cgilrein@technet.org