

DRAFT

SUMMARY

Digest: Tells those who make AI software to tell users that the users are talking to software, not a human. Tells them they must try to prevent users from getting output that causes suicidal feelings or thoughts. (Flesch Readability Score: 71.0).

Requires operators of artificial intelligence companions and artificial intelligence platforms to provide notice to users that the users are interacting with artificial output. Requires the operators to have in place a protocol for detecting suicidal ideation or intent or self-harm ideation or intent and to prevent output that could cause such ideation or intent in users. Specifies minimum contents of the protocol. Requires an operator to make certain statements and disclosures if the operator has reason to believe that a user that interacts with the operator's artificial intelligence companion or artificial intelligence platform is a minor and prohibits the operator from causing the artificial intelligence companion to perform certain actions. Requires an operator to report each year to the Oregon Health Authority concerning incidents in which the operator referred a user to resources to prevent suicidal ideation, suicide or self-harm.

Allows a user that suffers ascertainable harm to bring an action for damages and injunctive relief.

A BILL FOR AN ACT

Relating to artificial intelligence companions.

Be It Enacted by the People of the State of Oregon:

SECTION 1. (1) As used in this section:

(a)(A) "Artificial intelligence companion" means software or a combination of software and hardware that can infer from received natural language input how to generate outputs that can perform one or more of the following actions:

(i) Mimic written or spoken natural language or social interaction

that is adaptive, anthropomorphic and capable of meeting some users' social needs;

(ii) Use information from a record of previous interactions with the user to engage in dialogues that give the appearance of a continuity of interaction between the user and the artificial intelligence companion or that can mimic some features of a social relationship between the user and the artificial intelligence companion;

(iii) Adapt to new circumstances or new input while maintaining a continuity of anthropomorphic features that mimic a human personality; or

(iv) Generate output that can affect, control or influence a natural person's behavior or a physical or virtual environment.

(B) "Artificial intelligence companion" does not include:

(i) Software that operates solely for the purpose of customer service, business operations, productivity, information analysis, internal research or technical assistance, regardless of the software's capability to use natural language inputs and generate natural language outputs;

(ii) Software incorporated into a video game that is limited to providing interaction only with the features of the video game, if the software does not respond to input on topics such as mental health, self-harm, sexually explicit conduct or other topics unrelated to the features of the video game; or

(iii) A stand-alone consumer electronic device that functions as a speaker and voice command interface or acts as a voice-activated virtual assistant and does not perform actions of the type described in subparagraph (A) of this paragraph.

(b) "Artificial intelligence platform" means a website, application or other combination of software and hardware that allows or facilitates operation of and interaction with an artificial intelligence companion.

(c) "Operator" means a person that operates or makes an artificial

1 intelligence platform or artificial intelligence companion available to
2 users in this state.

3 (d) “Sexually explicit conduct” has the meaning given that term in
4 ORS 163.665.

5 (2) A provider of an artificial intelligence companion or an operator
6 of an artificial intelligence platform that provides access to an artifi-
7 cial intelligence companion shall provide on the artificial intelligence
8 platform, and cause the artificial intelligence companion to precede
9 each response with, a clear and conspicuous notice that indicates that
10 a user is interacting with artificially generated output and not a na-
11 tural person.

12 (3)(a) An operator may not allow users in this state access to an
13 artificial intelligence companion or artificial intelligence platform un-
14 less the operator has a protocol for using evidence-based methods for
15 detecting input from the user that consists of suicidal ideation or in-
16 tent or self-harm ideation or intent and that prevents the provision
17 of content to the user that could cause suicidal ideation, suicide or
18 self-harm in the user.

19 (b) The protocol described in paragraph (a) of this subsection at a
20 minimum must:

21 (A) Notify any user that expresses suicidal ideation or intent or
22 self-harm ideation or intent with a referral to a suicide hotline or
23 crisis management agency or similar resources that provide appropri-
24 ate counseling; and

25 (B) Immediately interrupt a conversation between an artificial in-
26 telligence companion and a user if the conversation consists of user
27 suicidal ideation or intent or self harm ideation or intent.

28 (c) An operator shall publish on the operator’s artificial intelligence
29 platform the details of the operator’s protocol.

30 (4)(a) If an operator has reason to believe that a user of the
31 operator’s artificial intelligence companion or artificial intelligence

platform is a minor, the operator shall:

(A) State that the operator's artificial intelligence companion or artificial intelligence platform may not be suitable for minors;

(B) Disclose to the user that the user is interacting with artificially generated output;

(C) Provide a clear and conspicuous reminder at a minimum of every hour of interaction that the user should take a break from interactions with the artificial intelligence companion or artificial intelligence platform, along with a further reminder that the user is interacting with artificially generated output; and

(D) Use reasonable measures to ensure that the artificial intelligence companion does not produce visual representations of sexually explicit conduct or suggest or state that the minor should engage in sexually explicit conduct.

(b) In the circumstances described in paragraph (a) of this subsection, an operator may not cause an artificial intelligence companion to:

(A) Deliver to a user, either on a variable schedule or otherwise, a system of rewards or affirmations with the purpose of reinforcing behavior or maximizing the time during which the user engages with the artificial intelligence companion;

(B) Generate in response to a user's indication of a desire to end a conversation, reduce engagement time or delete the user's account unsolicited messages of simulated emotional distress, loneliness, or abandonment or otherwise attempt to arouse guilt or sympathy in the user; or

(C) Make a material misrepresentation about the artificial intelligence companion's identity, capabilities, training data or about whether the user is interacting with artificially generated output, including when the user directly questions the artificial intelligence companion about any of these topics.

1 **(5)(a) Not later than December 31 of each year, an operator shall**
2 **report to the Oregon Health Authority:**

3 **(A) The number of times during the calendar year preceding the**
4 **report in which the operator provided a referral under subsection (3)**
5 **of this section; and**

6 **(B) The details of the operator's protocol under subsection (3) of**
7 **this section.**

8 **(b) An operator may not report to the authority any personal in-**
9 **formation that identifies an individual.**

10 **(c) The authority by rule may specify the form, format and contents**
11 **of the report required under this subsection.**

12 **(d) The authority shall publish on the authority's website a sum-**
13 **mary of the reports the authority received from operators during the**
14 **previous calendar year.**

15 **SECTION 2.** **(1) An individual who suffers an ascertainable loss of**
16 **money or property or other injury in fact as a result of an operator's**
17 **violation of section 1 of this 2026 Act may bring an action in a court**
18 **of this state to recover:**

19 **(a) The greater of the individual's actual damages or statutory**
20 **damages of \$1,000 for each violation; and**

21 **(b) An injunction to prevent or restrain the violation.**

22 **(2) A court may award a prevailing plaintiff attorney fees and costs**
23 **in an action under this section.**

24 **(3) Relief or a recovery under this section does not relieve an op-**
25 **erator of any duty, remedy or obligation to which the operator is**
26 **subject under other applicable law.**