B-Engrossed

Senate Bill 1546

Ordered by the House February 27
Including Senate Amendments dated February 16 and House Amendments
dated February 27

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of Senate Interim Committee on Early Childhood and Behavioral Health)

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject
to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the
measure. The statement includes a measure digest written in compliance with applicable readability standards.

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 companion
platforms to provide notice to users that the users are interacting with artificial output if a rea-
sonable person that interacts with the artificial intelligence companion or artificial intelligence
companion platform would believe that the person was interacting with a natural person. 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, **including referral to an appropriate crisis lifeline and addi-
tional intervention informed by clinical best practices and expertise**. 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. Requires the operator to take reasonable steps to prevent the artificial intelligence compan-
ion from generating statements that would lead a reasonable person to believe that the person was
interacting with a natural person and to require the artificial intelligence companion to make cer-
tain other statements. Requires an operator to post a report each year on a publicly accessible
website that discloses incidents in which the operator referred a user to resources to prevent sui-
cidal ideation, suicide or self-harm.

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

1   **A BILL FOR AN ACT**

2   Relating to artificial intelligence companions.

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

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

5   **(a)(A) "Artificial intelligence companion" means a system that uses artificial intelligence,**

6   **generative artificial intelligence or algorithms that recognize emotion from input and that**

7   **are designed to simulate a sustained, human-like platonic, intimate or romantic relationship**

8   **or companionship with a user by:**

9   **(i) Retaining information from prior interactions or user sessions and from user prefer-**

10   **ences to personalize interactions with the user and facilitate ongoing engagement with the**

11   **artificial intelligence companion;**

12   **(ii) Asking unprompted or unsolicited questions that are not direct responses to user**

13   **input and that suggest or concern emotional topics; and**

14   **(iii) Sustaining an ongoing dialog concerning matters that are personal to the user.**

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

1   (i) Software that operates solely for the purpose of customer service or support, assisting
2 or supporting patient or resident care services in a facility, education, financial services or
3 education, business operations, productivity, information analysis, internal research or
4 technical assistance, regardless of the software's capability to use natural language inputs
5 and generate natural language outputs;

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

10   (iii) A stand-alone consumer electronic device that functions as a speaker and voice
11 command interface or acts as a voice-activated virtual assistant.

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

15   (c) "National 9-8-8 suicide and crisis lifeline" means the crisis hotline that the federal
16 Substance Abuse and Mental Health Services Administration, or a successor agency, oper-
17 ates and makes available by telephone or by electronic means.

18   (d) "Operator" means a person that controls or makes an artificial intelligence compan-
19 ion or artificial intelligence companion platform available to users in this state.

20   (e) "Sexually explicit conduct" has the meaning given that term in ORS 163.665.

21   (f) "Youthline" means a service that the American Association for Suicidology, or a
22 successor organization, has accredited for the purpose of providing youth peer support to
23 individuals who contact the network by telephone or electronic means.

24   (2) If a reasonable person that interacts with an artificial intelligence companion or an
25 artificial intelligence companion platform would believe that the person is interacting with
26 a natural person, the operator shall provide on the artificial intelligence companion platform
27 a clear and conspicuous notice that indicates that a user is interacting with artificially gen-
28 erated output and not a natural person.

29   (3)(a) An operator may not allow users in this state access to an artificial intelligence
30 companion or artificial intelligence companion platform unless the operator has a protocol
31 for using evidence-based methods for detecting input from the user that consists of suicidal
32 ideation or intent or self-harm ideation or intent and that prevents the provision of content
33 to the user that encourages suicidal ideation, suicide or self-harm in the user.

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

35   (A) Require an artificial intelligence companion to provide a user that expresses suicidal
36 ideation or intent or self-harm ideation or intent with a referral to and contact information
37 and hyperlink for the national 9-8-8 suicide and crisis lifeline and, if the operator identifies
38 the user as a person who is under 25 years of age, allow the artificial intelligence companion
39 to alternatively provide a referral to and contact information and hyperlink for a youthline;
40 and

41   (B) Use clinical best practices and expertise to establish how the artificial intelligence
42 companion provides additional intervention for a user who continues to express suicidal
43 ideation or intent or self-harm ideation or intent even after the artificial intelligence com-
44 panion provides referrals to and contact information for the resources identified in subpar-
45 agraph (A) of this paragraph.

(c) An operator shall publish on the operator's website the details of the operator's protocol.

(4)(a) If an operator knows or has reason to believe that a user of the operator's artificial intelligence companion or artificial intelligence companion platform is a minor, the operator shall undertake reasonable measures to prevent the artificial intelligence companion from generating statements that would lead a reasonable person to believe that the person is interacting with another natural person, including statements that:

(A) Explicitly claim that the artificial intelligence companion is sentient or human;

(B) Simulate emotional dependence on the user;

(C) Simulate romantic interest or are sexual innuendo; or

(D) Role-play romantic relationships between adults and minors.

(b) In the circumstances described in paragraph (a) of this subsection, the operator shall cause the artificial intelligence companion to:

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

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

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

(c) In the circumstances described in paragraph (a) of this subsection, an operator must undertake reasonable measures to prevent an artificial intelligence companion from:

(A) Delivering 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) Generating 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) Making a material misrepresentation about the artificial intelligence companion's identity, capabilities or 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.

(5)(a) Not later than December 31 of each year, an operator shall post on a publicly accessible website a report that discloses:

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

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

(b) An operator may not include in the report described in paragraph (a) of this subsection any personal information that identifies an individual.

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

1   **(a) The greater of the individual's actual damages or statutory damages of $1,000 for each**

2 **violation; and**

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

4   **(2) A court may award a prevailing plaintiff attorney fees and costs in an action under**

5 **this section.**

6   **(3) Relief or a recovery under this section does not relieve an operator of any duty,**

7 **remedy or obligation to which the operator is subject under other applicable law.**

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