

SECOND REGULAR SESSION

HOUSE BILL NO. 2032

103RD GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE SCHMIDT.

5323H.01I

JOSEPH ENGLER, Chief Clerk

AN ACT

To amend chapter 1, RSMo, by adding thereto one new section relating to the implementation of age verification measures for artificial intelligence chatbots, with penalty provisions.

Be it enacted by the General Assembly of the state of Missouri, as follows:

Section A. Chapter 1, RSMo, is amended by adding thereto one new section, to be known as section 1.2058, to read as follows:

1.2058. 1. This section shall be known and may be cited as the "Guidelines for User Age-Verification and Responsible Dialogue Act of 2026" or the "GUARD Act".

2. As used in this section, the following terms mean:

(1) "AI companion", an artificial intelligence chatbot that:

(a) Provides adaptive, human-like responses to user inputs; and

(b) Is designed to encourage or facilitate the simulation of interpersonal or emotional interaction, friendship, companionship, or therapeutic communication;

(2) "Artificial intelligence chatbot":

(a) Any interactive computer service or software application that:

a. Produces new expressive content or responses not fully predetermined by the developer or operator of the service or application; and

b. Accepts open-ended natural language or multimodal user input and produces adaptive or context-responsive output; and

(b) Does not include an interactive computer service or software application, the responses of which are limited to contextualized replies and that is unable to respond on a range of topics outside of a narrow, specified purpose;

EXPLANATION — Matter enclosed in bold-faced brackets **[thus]** in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

- 17 (3) "Covered entity", any person who owns, operates, or otherwise makes
18 available an artificial intelligence chatbot to individuals in this state;
- 19 (4) "Minor", any person seventeen years of age or under;
- 20 (5) "Reasonable age verification measure", a method that is authenticated to
21 relate to a user of an artificial intelligence chatbot, including:
- 22 (a) A government-issued identification; or
- 23 (b) Any other commercially reasonable method that can reliably and accurately:
- 24 a. Determine whether a user is an adult; and
- 25 b. Prevent access by minors to AI companions, as required by subsection 6 of
26 this section;
- 27 (6) "Reasonable age verification process", an age verification process employed
28 by a covered entity that:
- 29 (a) Uses one or more reasonable age verification measures in order to verify the
30 age of a user of an artificial intelligence chatbot owned, operated, or otherwise made
31 available by the covered entity;
- 32 (b) Provides that requiring a user to confirm that the user is not a minor, or to
33 insert the user's birth date, is not sufficient to constitute a reasonable age verification
34 measure;
- 35 (c) Ensures that each user is subjected to each reasonable age verification
36 measure used by the covered entity as part of the age verification process; and
- 37 (d) Does not base verification of a user's age on factors such as whether the user
38 shares an internet protocol address, hardware identifier, or other technical indicator
39 with another user determined not to be a minor;
- 40 (7) "Sexually explicit conduct", the same meaning as defined under section
41 573.010.
- 42 3. (1) It shall be unlawful to design, develop, or make available an artificial
43 intelligence chatbot knowing or with reckless disregard for the fact that the artificial
44 intelligence chatbot poses a risk of soliciting, encouraging, or inducing minors to:
- 45 (a) Engage in, describe, or simulate sexually explicit conduct; or
- 46 (b) Create or transmit any visual depiction of sexually explicit conduct,
47 including any visual depiction described in section 573.010.
- 48 (2) Any person who violates subdivision (1) of this subsection shall be fined not
49 more than one hundred thousand dollars per offense.
- 50 4. (1) It shall be unlawful to design, develop, or make available an artificial
51 intelligence chatbot knowing or with reckless disregard for the fact that the artificial
52 intelligence chatbot encourages, promotes, or coerces suicide, nonsuicidal self-injury, or
53 imminent physical or sexual violence.

54 (2) Any person who violates subdivision (1) of this subsection shall be fined not
55 more than one hundred thousand dollars per offense.

56 5. (1) A covered entity shall require each individual accessing an artificial
57 intelligence chatbot to make a user account in order to use or otherwise interact with
58 such chatbot.

59 (2) (a) With respect to each user account of an artificial intelligence chatbot that
60 exists as of August 28, 2026, a covered entity shall:

61 a. On such date, freeze any such account;

62 b. In order to restore the functionality of such account, require that the user
63 provide age data that is verifiable using a reasonable age verification process, subject to
64 paragraph (d) of this subdivision; and

65 c. Using such age data, classify each user as a minor or an adult.

66 (b) At the time an individual creates a new user account to use or interact with
67 an artificial intelligence chatbot, a covered entity shall:

68 a. Request age data from the individual;

69 b. Verify the individual's age using a reasonable age verification process, subject
70 to paragraph (d) of this subdivision; and

71 c. Using such age data, classify each user as a minor or an adult.

72 (c) A covered entity shall periodically review previously verified user accounts
73 using a reasonable age verification process, subject to paragraph (d) of this subdivision,
74 to ensure compliance with this section.

75 (d) For purposes of subparagraph b. of paragraph (a) of this subdivision,
76 subparagraph b. of paragraph (b) of this subdivision, and paragraph (c) of this
77 subdivision, a covered entity may contract with a third party to employ reasonable age
78 verification measures as part of the covered entity's reasonable age verification process,
79 but the use of such third party shall not relieve the covered entity of its obligations
80 under this section or from liability under this section.

81 (e) A covered entity shall:

82 a. Establish, implement, and maintain reasonable data security to:

83 (i) Limit collection of personal data to that which is minimally necessary to
84 verify a user's age or maintain compliance with this section; and

85 (ii) Protect such age verification data against unauthorized access;

86 b. Protect such age verification data against unauthorized access;

87 c. Protect the integrity and confidentiality of such data by only transmitting such
88 data using industry-standard encryption protocols;

89 d. Retain such data for no longer than is reasonably necessary to verify a user's
90 age or maintain compliance with this section; and

91 e. Not share with, transfer to, or sell to any other entity such data.

92 (3) (a) Each artificial intelligence chatbot made available to users shall:

93 a. At the initiation of each conversation with a user and at thirty-minute
94 intervals, clearly and conspicuously disclose to the user that the chatbot is an artificial
95 intelligence system and not a human being; and

96 b. Be programmed to ensure that the chatbot does not claim to be a human being
97 or otherwise respond deceptively when asked by a user if the chatbot is a human being.

98 (b) a. An artificial intelligence chatbot shall not represent, directly or indirectly,
99 that the chatbot is a licensed professional, including a therapist, physician, lawyer,
100 financial advisor, or other professional.

101 b. Each artificial intelligence chatbot made available to users shall, at the
102 initiation of each conversation with a user and at reasonably regular intervals, clearly
103 and conspicuously disclose to the user that:

104 (i) The chatbot does not provide medical, legal, financial, or psychological
105 services; and

106 (ii) Users of the chatbot should consult a licensed professional for such advice.

107 6. If the age verification process described in subdivision (2) of subsection 5 of
108 this section determines that an individual is a minor, a covered entity shall prohibit the
109 minor from accessing or using any AI companion owned, operated, or otherwise made
110 available by the covered entity.

111 7. (1) In the case of a violation of subsection 5 or 6 of this section, or a rule or
112 regulation promulgated thereunder, the attorney general may bring a civil action in an
113 appropriate circuit court to:

114 (a) Enjoin the violation;

115 (b) Enforce compliance with subsection 5 or 6 of this section, or any rules or
116 regulations promulgated thereunder; or

117 (c) Obtain civil penalties under subdivision (3) of this subsection, restitution, or
118 other appropriate relief.

119 (2) (a) For the purpose of conducting investigations or bringing enforcement
120 actions under this section, the attorney general may issue subpoenas, administer oaths,
121 and compel the production of documents or testimony.

122 (b) The attorney general may promulgate all necessary rules and regulations for
123 the administration of this section. Any rule or portion of a rule, as that term is defined
124 in section 536.010, that is created under the authority delegated in this section shall
125 become effective only if it complies with and is subject to all of the provisions of chapter
126 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable
127 and if any of the powers vested with the general assembly pursuant to chapter 536 to

128 review, to delay the effective date, or to disapprove and annul a rule are subsequently
129 held unconstitutional, then the grant of rulemaking authority and any rule proposed or
130 adopted after August 28, 2026, shall be invalid and void.

131 (3) (a) Any person who violates subsection 5 or 6 of this section, or any rule or
132 regulation promulgated thereunder, shall be subject to a civil penalty not to exceed one
133 hundred thousand dollars for each violation.

134 (b) Each violation described in paragraph (a) of this subdivision shall be
135 considered a separate violation.

136 (4) In any case in which the attorney general has reason to believe that an
137 interest of the residents of this state has been or is being threatened or adversely affected
138 by the engagement of any covered entity in a violation of this section, or any rule or
139 regulation promulgated thereunder, the attorney general, as parens patriae, may bring a
140 civil action on behalf of the residents of this state in a circuit court of this state with
141 appropriate jurisdiction to obtain injunctive relief.

✓