

SECOND REGULAR SESSION

# HOUSE BILL NO. 2318

## 103RD GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE MANSUR.

5994H.01I

JOSEPH ENGLER, Chief Clerk

### AN ACT

To amend chapter 407, RSMo, by adding thereto one new section relating to artificial intelligence in mental health, with penalty provisions.

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

Section A. Chapter 407, RSMo, is amended by adding thereto one new section, to be known as section 407.3007, to read as follows:

**407.3007. 1. As used in this section, the following terms mean:**

**(1) "Artificial intelligence" or "AI":**

**(a) Any artificial system that performs tasks under varying and unpredictable circumstances without significant human oversight or that can learn from experience and improve performance when exposed to data sets;**

**(b) An artificial system developed in computer software, physical hardware, or other computer systems that solves tasks requiring human-like perception, cognition, planning, learning, communication, or physical action;**

**(c) An artificial system designed to think or act like a human, including cognitive architectures and neural networks;**

**(d) A set of techniques, including machine learning, that is designed to approximate a cognitive task; or**

**(e) An artificial system designed to act rationally, including an intelligent software agent or embodied robot that achieves goals using perception, planning, reasoning, learning, communicating, decision-making, and acting;**

**(2) "Mental health professional", the same as defined in section 632.005.**

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           **2. Any person or entity that develops or deploys artificial intelligence in the state**  
18 **shall not advertise or represent to the public that the AI is or is able to act as a mental**  
19 **health professional or is capable of providing therapy services.**

20           **3. Any violation of this section shall be considered an unlawful practice under**  
21 **the Missouri merchandising practices act under this chapter.**

22           **4. The attorney general shall enforce the provisions of this section. Any**  
23 **individual may report violations of this section to the attorney general. If the attorney**  
24 **general finds that a violation occurred, the attorney general shall commence a civil**  
25 **action in a court of competent jurisdiction. If the court finds that a violation occurred,**  
26 **the court may grant damages, civil penalties, injunctive relief, attorney's fees, and any**  
27 **such other relief the court finds appropriate. Notwithstanding section 407.100 to the**  
28 **contrary, civil penalties shall be as follows:**

29           **(1) Ten thousand dollars for the first violation; or**

30           **(2) Twenty thousand dollars for any subsequent violation.**

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