

HB 2032 -- IMPLEMENTATION OF AGE VERIFICATION MEASURES FOR AI CHATBOTS

SPONSOR: Schmidt

This bill establishes the "Guidelines for User Age-Verification and Responsible Dialogue Act of 2026" or the "GUARD Act".

The bill provides definitions for, among other terms, "AI companion", "artificial intelligence chatbot", and "covered entity".

The bill makes it unlawful to design, develop, or make available an artificial intelligence chatbot knowing or with reckless disregard for the fact that the chatbot poses a risk of soliciting, encouraging, or inducing minors to engage in, describe, or simulate sexually explicit conduct, or create or transmit a visual depiction of sexually explicit conduct. A violation of this provision is no more than \$100,000 per offense.

The bill additionally makes it unlawful to design, develop, or make available an artificial intelligence chatbot knowing or with reckless disregard for the fact that the chatbot encourages, promotes, or coerces suicide, self-injury, or imminent physical or sexual violence. A violation of this provision is no more than \$100,000 per offense.

The bill requires a covered entity to require each individual accessing a companion AI chatbot to make a user account. For each account that exists as of August 28, 2026, the covered entity is required to freeze the account and, in order to restore the account's functionality, require that the user verify his or her age using a commercially available method or process designed to ensure accuracy. Using this information, the covered entity then must classify each user as a minor or an adult. If a user is classified as a minor, a covered entity must prohibit the minor user's use or access any AI companion owned, operated, or made available by the covered entity.

When an individual creates a new user to account to use or interact with a companion AI chatbot, a covered entity is responsible for verifying the age of the user and classifying each such user as a minor or adult. The bill permits covered entities to contract with a third party to employ reasonable age verification measures.

A covered entity is responsible for maintaining and protecting the confidentiality of the age information provided for verification.

The bill establishes certain conditions that must be met by each artificial intelligence chatbot made available to users, including certain programming requirements and disclosures to users that the chatbot is artificial intelligence and not a human being.

The Attorney General can initiate a civil action in the case of a violation of the provisions of this bill, and may promulgate all necessary rules for the administration of these provisions.

Any person violating the age verification provisions of this bill will be subject to a civil penalty of not more than \$100,000 per violation.