

HB324 INTRODUCED



1 HB324

2 ZQPIFKK-1

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4 Shaw, Chestnut, Hassell

5 RFD: Judiciary

6 First Read: 22-Jan-26



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4 SYNOPSIS:

5 This bill would require artificial intelligence
6 (AI) chatbot deployers to implement reasonable age
7 verification systems, verify the age of each user, and
8 ensure that AI chatbots with human-like features are
9 not available to minors.

10 This bill would require AI chatbot deployers to
11 provide an alternative version of the platform without
12 human-like features to minors if it is reasonable given
13 the purpose of the chatbot.

14 This bill would require AI chatbot deployers to
15 adopt protocols for AI chatbots to detect and mitigate
16 emergency situations where a user expresses intention
17 to harm the user's self or others.

18 This bill would limit the amount and type of
19 information that AI chatbot deployers are allowed to
20 collect and store.

21 This bill would allow for therapeutic chatbots
22 that meet certain requirements to be prescribed by a
23 licensed psychiatrist for use by minors.

24 This bill would create a private right of action
25 for consumers who are subjected to noncompliant
26 commercial transactions.

27 This bill would also authorize the Attorney
28 General to bring suit to enforce this act.



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32 A BILL

33 TO BE ENTITLED

34 AN ACT

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36 Relating to artificial intelligence (AI) chatbots; to
37 require AI chatbot deployers to implement a reasonable age
38 verification process and verify the age of all AI chatbot
39 users; to provide prohibitions on the provision of certain AI
40 chatbots to minors; to require AI chatbot deployers to provide
41 alternative versions of the platform without human-like
42 features to minors; to require AI chatbot deployers to adopt
43 protocols for AI chatbots to detect and mitigate emergency
44 situations; to limit the amount and type of information AI
45 chatbot deployers are allowed to collect and store; to allow
46 therapeutic AI chatbots meeting certain requirements to be
47 made available to minors; to provide a private right of action
48 for certain users; and to authorize the Attorney General to
49 bring suit to enforce this act.

50 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

51 Section 1. For the purposes of this act, the following
52 terms have the following meanings:

53 (1) AGE-VERIFIED USER. A user for whom the deployer has
54 performed an age verification process to ascertain the user's
55 age.

56 (2)a. AI CHATBOT. Any generative artificial

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57 intelligence interactive computer service or software
58 application that:

59 1. Produces new expressive content or responses not
60 fully predetermined by the developer or operator of the
61 service or application; and

62 2. Accepts open-ended, natural language or multimodal
63 user input and produces adaptive or context-responsive output.

64 b. The term does not include an interactive computer
65 service or software application that:

66 1. Limits the responses to contextualized replies; or
67 2. Is unable to respond on a range of topics outside of
68 a narrow specified purpose.

69 (3) ARTIFICIAL INTELLIGENCE or AI. The term as defined
70 in Section 17-5-16.1, Code of Alabama 1975.

71 (4) COVERED ENTITY. Any person who owns, operates, or
72 otherwise makes available an AI chatbot to individuals in the
73 United States.

74 (5) EMERGENCY SITUATION. A situation where a chatbot
75 user indicates that the user intends to either harm the user's
76 self or others.

77 (6) GENERATIVE ARTIFICIAL INTELLIGENCE SYSTEM. Any
78 system that uses artificial intelligence to generate or
79 substantially modify images, video, audio, multimedia, or text
80 content.

81 (7) HUMAN-LIKE FEATURE. a. Any expression by a
82 generative artificial intelligence system that suggests the
83 generative artificial intelligence system:

84 1. Behaves in a way that suggests or conveys that it

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85 has humanity, sentience, emotions, or desires;

86 2. Seeks to build or engage in an emotional

87 relationship with the user; or

88 3. Impersonates a real person, living or dead.

89 b. The term includes, but is not limited to, the

90 generative artificial intelligence system:

91 1. Stating or suggesting that it is human or sentient;

92 2. Stating or suggesting that it has emotions;

93 3. Stating or suggesting that it has personal desires;

94 4. Behaving in a way that a reasonable user would

95 consider excessive praise designed to foster emotional

96 attachment or otherwise gain advantage;

97 5. Expressing or inviting emotional attachment;

98 6. Reminding, prompting, or nudging the user to return

99 for emotional support or companionship;

100 7. Depicting nonverbal forms of emotional support; or

101 8. Enabling or purporting to enable increased intimacy

102 based on engagement or pay.

103 c. The term does not include:

104 1. Functional evaluations;

105 2. Generic social formalities;

106 3. Generic encouragement that does not create an

107 ongoing bond; or

108 4. Asking if a user needs further help or support in a

109 neutral, nonemotional context.

110 (8) MINOR. An individual under 19 years of age.

111 (9)a. REASONABLE AGE VERIFICATION PROCESS. A process

112 employed by a covered entity that verifies the age of each

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113 user by requiring each user to:

114 1. Provide a government-issued identification; or

115 2. Comply with any other commercial age verification

116 system; and

117 3. Confirm that the user is not a minor.

118 b. The term does not include a process that:

119 1. Merely requires a user to insert the user's birth

120 date; or

121 2. Ascertains each user's age through factors such as

122 whether the user shares an Internet Protocol address, hardware

123 identifier, or other technical indicator with another user

124 determined to not be a minor.

125 (10) THERAPEUTIC CHATBOT. Any chatbot modified or

126 designed to provide mental health support, counseling, or

127 therapeutic intervention through the diagnosis, treatment,

128 mitigation, or prevention of mental health conditions.

129 (11) USER. An individual who interacts with an

130 artificial intelligence system.

131 Section 2. (a) Each covered entity shall require each

132 individual accessing an AI chatbot to make a user account in

133 order to use or otherwise interact with the AI chatbot.

134 (b) (1) With respect to each existing user account of an

135 AI chatbot, a covered entity shall:

136 a. Freeze existing user accounts;

137 b. Require that the user is age verified through a

138 reasonable age verification process to restore the

139 functionality of the account; and

140 c. Classify each age-verified user as a minor or an



141 adult based on the reasonable age verification process.

142 (2) At the time an individual creates a new user
143 account to use an AI chatbot, a covered entity shall:

144 a. Require that each individual is age verified through
145 a reasonable age verification process; and

146 b. Classify each individual as a minor or an adult
147 based on the reasonable age verification process.

148 (3) A covered entity shall periodically review
149 previously age-verified user accounts using a reasonable age
150 verification process, subject to subsection (d).

151 (c) Each covered entity shall:

152 (1) Ensure that any AI chatbot operated or distributed
153 by the platform does not make human-like features available to
154 minors to use, interact with, purchase, or converse with; or

155 (2) Provide an alternative version of the AI chatbot to
156 minors without human-like features, if reasonable given the
157 purpose of the AI chatbot.

158 (d) For purposes of subsection (b), a covered entity
159 may contract with a third party to implement the covered
160 entity's reasonable age verification process. However, the use
161 of a third party for a reasonable age verification process
162 shall not relieve the covered entity of its obligations or
163 from liability under this act.

164 (e) Each covered entity shall implement and maintain
165 reasonably effective systems to detect, promptly respond to,
166 report, and mitigate emergency situations in a manner that
167 prioritizes the safety and well-being of users over the
168 covered entity's other interests.



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169 (f) Each covered entity shall collect and store only
170 information that does not conflict with a trusted party's best
171 interests, which must be:

172 (1) Sufficient to fulfill a legitimate purpose of the
173 covered entity;

174 (2) Relevant to the legitimate purpose of the covered
175 entity; and

176 (3) The minimum amount of information needed for the
177 legitimate purpose of the covered entity.

178 Section 3. A therapeutic AI chatbot may be made
179 available to minors if the therapeutic AI chatbot meets all of
180 the following requirements:

181 (1) The therapeutic AI chatbot provides a clear and
182 conspicuous disclaimer, verbally or in writing, at the
183 beginning of each interaction that the AI chatbot is an
184 artificial intelligence and not a licensed professional.

185 (2) The AI chatbot is not marketed or designated as a
186 substitute for a human professional.

187 (3) A licensed mental health professional assesses a
188 user's suitability and prescribes the tool as part of a
189 comprehensive treatment plan and monitors its use and impact.

190 (4) The covered entity provides robust, independent,
191 and peer-reviewed clinical trial data demonstrating the safety
192 and efficacy of the tool for specific conditions and
193 populations.

194 (5) The system's functions, limitations, and data
195 privacy policies are transparent to both the licensed mental
196 health professional and the user.



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197 (6) The covered entity establishes clear lines of
198 accountability for any harm caused by the therapeutic AI
199 chatbot.

200 Section 4. A minor who uses an AI chatbot that does not
201 comply with the provisions of this act, or a parent or
202 guardian acting on the minor's behalf, may bring a civil
203 action on his or her own or in a class action to recover the
204 following relief:

205 (1) Injunctive relief.

209 Section 5. Whenever it appears to the Attorney General,
210 either upon complaint or otherwise, that a person has engaged
211 in or is about to engage in any of the acts or practices
212 prohibited by this act, the Attorney General may bring an
213 action against an operator to:

214 (1) Enjoin the person from continuing the unlawful acts
215 or practices;

220 (3) Seek any other remedies as the court may deem
221 appropriate.

222 Section 6. This act shall become effective on October
223 1, 2026.