

## HB324 INTRODUCED



1 HB324  
2 ZQPIFKK-1  
3 By Representatives Moore (P), Bedsole, DuBose, Robbins, Gray,  
4 Shaw, Chestnut, Hassell  
5 RFD: Judiciary  
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## SYNOPSIS:

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

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

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

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

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

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

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



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A BILL

TO BE ENTITLED

AN ACT

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

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

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

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

(2)a. AI CHATBOT. Any generative artificial



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intelligence interactive computer service or software application that:

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

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

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

1. Limits the responses to contextualized replies; or

2. Is unable to respond on a range of topics outside of a narrow specified purpose.

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

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

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

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

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

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



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has humanity, sentience, emotions, or desires;

2. Seeks to build or engage in an emotional relationship with the user; or

3. Impersonates a real person, living or dead.

b. The term includes, but is not limited to, the generative artificial intelligence system:

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

2. Stating or suggesting that it has emotions;

3. Stating or suggesting that it has personal desires;

4. Behaving in a way that a reasonable user would consider excessive praise designed to foster emotional attachment or otherwise gain advantage;

5. Expressing or inviting emotional attachment;

6. Reminding, prompting, or nudging the user to return for emotional support or companionship;

7. Depicting nonverbal forms of emotional support; or

8. Enabling or purporting to enable increased intimacy based on engagement or pay.

c. The term does not include:

1. Functional evaluations;

2. Generic social formalities;

3. Generic encouragement that does not create an ongoing bond; or

4. Asking if a user needs further help or support in a neutral, nonemotional context.

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

(9)a. REASONABLE AGE VERIFICATION PROCESS. A process employed by a covered entity that verifies the age of each



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user by requiring each user to:

1. Provide a government-issued identification; or

2. Comply with any other commercial age verification system; and

3. Confirm that the user is not a minor.

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

1. Merely requires a user to insert the user's birth date; or

2. Ascertains each user's age through factors such as whether the user shares an Internet Protocol address, hardware identifier, or other technical indicator with another user determined to not be a minor.

(10) THERAPEUTIC CHATBOT. Any chatbot modified or designed to provide mental health support, counseling, or therapeutic intervention through the diagnosis, treatment, mitigation, or prevention of mental health conditions.

(11) USER. An individual who interacts with an artificial intelligence system.

Section 2. (a) Each covered entity shall require each individual accessing an AI chatbot to make a user account in order to use or otherwise interact with the AI chatbot.

(b) (1) With respect to each existing user account of an AI chatbot, a covered entity shall:

- a. Freeze existing user accounts;

- b. Require that the user is age verified through a reasonable age verification process to restore the functionality of the account; and

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



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adult based on the reasonable age verification process.

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

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

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

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

(c) Each covered entity shall:

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

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

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

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



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

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

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

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

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

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

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

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

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

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





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

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

(1) Injunctive relief.

(2) Damages in an amount equal to the sum of any actual damages or statutory damages not to exceed seven hundred fifty dollars (\$750) per violation, whichever is greater.

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

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

(2) Seek civil penalties of not more than two thousand five hundred dollars (\$2,500) for a violation under this act or not more than seven thousand five hundred dollars (\$7,500) for an intentional violation under this act; and

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

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