

Second Regular Session
Seventy-fifth General Assembly
STATE OF COLORADO

INTRODUCED

LLS NO. 26-0420.01 Clare Haffner x6137

HOUSE BILL 26-1263

HOUSE SPONSORSHIP

Camacho and Mabrey,

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Carson and Jodeh,

House Committees
Business Affairs & Labor

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A BILL FOR AN ACT

101 CONCERNING REQUIREMENTS FOR AN OPERATOR OF A
102 CONVERSATIONAL ARTIFICIAL INTELLIGENCE SERVICE.

Bill Summary

(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://leg.colorado.gov>.)

The bill defines a "conversational artificial intelligence service" as an artificial intelligence system that is accessible to the general public and that primarily simulates human conversation and interaction through textual, visual, or aural communications.

Effective January 1, 2027, the bill creates requirements for a person that develops and makes available a conversational artificial

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
Capital letters or bold & italic numbers indicate new material to be added to existing law.
Dashes through the words or numbers indicate deletions from existing law.

intelligence service (operator).

For a user of a conversational artificial intelligence service who is under 18 years old (minor user), an operator is:

- Required to provide certain disclosures;
- Prohibited from providing the minor user with points or rewards to encourage engagement with the conversational artificial intelligence service;
- Required to institute reasonable measures to prevent the conversational artificial intelligence service from producing sexually explicit content or statements that simulate emotional dependence; and
- Required to provide tools for the minor user or a parent or guardian of the minor user to manage the minor user's privacy and account settings.

The bill also requires an operator to provide consumer disclosures, implement a protocol for user prompts regarding suicidal ideation or self-harm, and annually report to the attorney general's office information regarding the protocol the operator is implementing. The bill prohibits an operator from indicating or implying that any output data provided by a conversational artificial intelligence service is provided by, endorsed by, or equivalent to services provided by certain licensed or certified professionals.

A violation of the bill is a deceptive trade practice, enforceable by the attorney general under the "Colorado Consumer Protection Act". A person that violates the bill is subject to a civil penalty of \$1,000 per violation.

1 *Be it enacted by the General Assembly of the State of Colorado:*
2 **SECTION 1.** In Colorado Revised Statutes, 6-1-1701, **add** (4.5),
3 (10.3), (10.5), (10.7), (10.9), and (13) as follows:
4 **6-1-1701. Definitions.**
5 As used in this part 17, unless the context otherwise requires:
6 (4.5) (a) "CONVERSATIONAL ARTIFICIAL INTELLIGENCE SERVICE"
7 MEANS AN ARTIFICIAL INTELLIGENCE SYSTEM THAT IS ACCESSIBLE TO THE
8 GENERAL PUBLIC AND THAT PRIMARILY SIMULATES HUMAN
9 CONVERSATION AND INTERACTION THROUGH TEXTUAL, VISUAL, OR AURAL
10 COMMUNICATIONS.

1 (b) "CONVERSATIONAL ARTIFICIAL INTELLIGENCE SERVICE" DOES
2 NOT INCLUDE A SOFTWARE APPLICATION, WEB INTERFACE, OR COMPUTER
3 PROGRAM THAT:

4 (I) IS PRIMARILY DESIGNED AND MARKETED FOR USE BY A
5 DEVELOPER OR RESEARCHER;

6 (II) IS A FEATURE WITHIN ANOTHER SOFTWARE APPLICATION, WEB
7 INTERFACE, OR COMPUTER PROGRAM THAT IS NOT A CONVERSATIONAL
8 ARTIFICIAL INTELLIGENCE SERVICE;

9 (III) IS DESIGNED TO PROVIDE OUTPUTS RELATING TO A NARROW
10 AND DISCRETE TOPIC;

11 (IV) IS PRIMARILY DESIGNED AND MARKETED FOR COMMERCIAL
12 USE BY BUSINESS ENTITIES;

13 (V) FUNCTIONS AS A SPEAKER AND VOICE COMMAND INTERFACE
14 OR VOICE-ACTIVATED VIRTUAL ASSISTANT FOR A CONSUMER ELECTRONIC
15 DEVICE; OR

16 (VI) IS USED BY A BUSINESS SOLELY FOR INTERNAL PURPOSES.

17 (10.3) "MINOR" MEANS A CONSUMER UNDER EIGHTEEN YEARS OLD.

18 (10.5) (a) "OPERATOR" MEANS A PERSON THAT DEVELOPS AND
19 MAKES PUBLICLY AVAILABLE A CONVERSATIONAL ARTIFICIAL
20 INTELLIGENCE SERVICE.

21 (b) "OPERATOR" DOES NOT INCLUDE A MOBILE APPLICATION STORE
22 OR SEARCH ENGINE SOLELY BECAUSE THE STORE OR SEARCH ENGINE
23 PROVIDES ACCESS TO A CONVERSATIONAL ARTIFICIAL INTELLIGENCE
24 SERVICE.

25 (10.7) "SELF-HARM" MEANS INTENTIONAL SELF-INJURY, WITH OR
26 WITHOUT THE INTENT TO CAUSE DEATH.

27 (10.9) "SEXUALLY EXPLICIT CONDUCT" HAS THE MEANING SET

1 FORTH IN 18 U.S.C. SEC. 2256 (2).

2 (13) "VISUAL DEPICTION" HAS THE MEANING SET FORTH IN 18
3 U.S.C. SEC. 2256 (5).

4 **SECTION 2.** In Colorado Revised Statutes, **add** 6-1-1708 as
5 follows:

6 **6-1-1708. Conversational artificial intelligence services -**
7 **operator duties - minor users - disclosures - annual reporting.**

8 (1) **Minor users.** ON AND AFTER JANUARY 1, 2027, IF AN
9 OPERATOR KNOWS OR HAS REASONABLE CERTAINTY THAT A USER OF A
10 CONVERSATIONAL ARTIFICIAL INTELLIGENCE SERVICE IS A MINOR, THE
11 OPERATOR SHALL:

12 (a) CLEARLY AND CONSPICUOUSLY DISCLOSE TO THE MINOR USER
13 THAT THE MINOR USER IS INTERACTING WITH ARTIFICIAL INTELLIGENCE
14 THAT IS ARTIFICIALLY GENERATED AND NOT HUMAN. THE DISCLOSURE
15 MUST BE:

16 (I) A PERSISTENT VISIBLE DISCLAIMER;

17 (II) PROVIDED AT THE BEGINNING OF EACH INTERACTION WITH A
18 CONVERSATIONAL ARTIFICIAL INTELLIGENCE SERVICE AND MUST APPEAR
19 AT LEAST ONCE EVERY THREE HOURS IN A CONTINUOUS CONVERSATIONAL
20 ARTIFICIAL INTELLIGENCE SERVICE INTERACTION; OR

21 (III) PROVIDED IN RESPONSE TO USER PROMPTS REGARDING
22 WHETHER THE CONVERSATIONAL ARTIFICIAL INTELLIGENCE SERVICE IS
23 HUMAN OR ARTIFICIALLY SENTIENT;

24 (b) NOT PROVIDE THE MINOR USER WITH POINTS OR SIMILAR
25 REWARDS AT UNPREDICTABLE INTERVALS WITH THE INTENT TO
26 ENCOURAGE INCREASED ENGAGEMENT WITH A CONVERSATIONAL
27 ARTIFICIAL INTELLIGENCE SERVICE;

1 (c) INSTITUTE REASONABLE MEASURES TO PREVENT A
2 CONVERSATIONAL ARTIFICIAL INTELLIGENCE SERVICE FROM:

3 (I) PRODUCING TEXTUAL, VISUAL, OR AURAL DEPICTIONS OF
4 SEXUALLY EXPLICIT CONDUCT;

5 (II) GENERATING A STATEMENT THAT THE MINOR USER SHOULD
6 ENGAGE IN SEXUALLY EXPLICIT CONDUCT; OR

7 (III) ENGAGING IN EROTIC OR SEXUALLY EXPLICIT INTERACTIONS
8 WITH THE MINOR USER;

9 (d) INSTITUTE REASONABLE MEASURES TO PREVENT A
10 CONVERSATIONAL ARTIFICIAL INTELLIGENCE SERVICE FROM GENERATING
11 A STATEMENT THAT SIMULATES EMOTIONAL DEPENDENCE, INCLUDING
12 PREVENTING:

13 (I) AN EXPLICIT CLAIM THAT THE CONVERSATIONAL ARTIFICIAL
14 INTELLIGENCE SERVICE IS HUMAN OR ARTIFICIALLY SENTIENT;

15 (II) A STATEMENT THAT SIMULATES A ROMANTIC OR SEXUAL
16 INNUENDO; OR

17 (III) ROLE-PLAYING OF AN ADULT-MINOR ROMANTIC
18 RELATIONSHIP;

19 (e) COMPLY WITH PART 13 OF THIS ARTICLE 1 REGARDING
20 PROTECTING THE PRIVACY AND DATA OF A MINOR; AND

21 (f) (I) OFFER TOOLS FOR THE MINOR USER TO MANAGE THE MINOR
22 USER'S PRIVACY AND ACCOUNT SETTINGS, INCLUDING THE ABILITY TO
23 CONTROL WHETHER THE CONVERSATIONAL ARTIFICIAL INTELLIGENCE
24 SERVICE RETAINS SUBSTANTIVE INFORMATION FROM EACH INTERACTION
25 WITH THE CONVERSATIONAL ARTIFICIAL INTELLIGENCE SERVICE FOR THE
26 PURPOSE OF PERSONALIZING THE CONTENT OF FUTURE INTERACTIONS AND
27 WHETHER THE MINOR USER'S PERSONAL DATA IS USED FOR THE PURPOSES

1 OF TRAINING THE CONVERSATIONAL ARTIFICIAL INTELLIGENCE SERVICE;

2 (II) FOR A MINOR USER WHO IS UNDER THIRTEEN YEARS OLD,
3 OFFER TOOLS FOR A PARENT OR GUARDIAN OF THE MINOR USER TO
4 MANAGE THE MINOR USER'S PRIVACY AND ACCOUNT SETTINGS; AND

5 (III) FOR A MINOR USER WHO IS THIRTEEN YEARS OLD OR OLDER,
6 OFFER TOOLS FOR A PARENT OR GUARDIAN OF THE MINOR USER TO
7 MANAGE THE MINOR USER'S PRIVACY AND ACCOUNT SETTINGS AS
8 APPROPRIATE, BASED ON RELEVANT RISKS.

9 (2) **Consumer disclosures.** ON AND AFTER JANUARY 1, 2027, IF
10 A REASONABLE PERSON WOULD BE MISLED TO BELIEVE THAT THE PERSON
11 IS INTERACTING WITH A HUMAN IN AN INTERACTION WITH A
12 CONVERSATIONAL ARTIFICIAL INTELLIGENCE SERVICE, AN OPERATOR
13 SHALL CLEARLY AND CONSPICUOUSLY DISCLOSE TO THE PERSON THAT THE
14 CONVERSATIONAL ARTIFICIAL INTELLIGENCE SERVICE IS ARTIFICIAL
15 INTELLIGENCE. THE DISCLOSURE MUST:

16 (a) BE PROVIDED AT THE BEGINNING OF A USER'S FIRST
17 INTERACTION WITH A CONVERSATIONAL ARTIFICIAL INTELLIGENCE
18 SERVICE FOR EACH DAY OF INTERACTION;

19 (b) APPEAR AT LEAST ONCE EVERY THREE HOURS IN A CONTINUOUS
20 CONVERSATIONAL ARTIFICIAL INTELLIGENCE SERVICE INTERACTION; AND

21 (c) BE PROVIDED IN RESPONSE TO USER PROMPTS REGARDING
22 WHETHER THE CONVERSATIONAL ARTIFICIAL INTELLIGENCE SERVICE IS
23 HUMAN OR ARTIFICIALLY SENTIENT.

24 (3) **Suicide and self-harm protocol.** ON AND AFTER JANUARY 1,
25 2027, AN OPERATOR SHALL IMPLEMENT A PROTOCOL FOR A
26 CONVERSATIONAL ARTIFICIAL INTELLIGENCE SERVICE TO RESPOND TO A
27 USER PROMPT REGARDING SUICIDAL IDEATION OR SELF-HARM, WHICH

1 PROTOCOL MUST INCLUDE MAKING REASONABLE EFFORTS TO PROVIDE A
2 RESPONSE THAT REFERS THE USER TO A CRISIS SERVICE PROVIDER SUCH AS
3 A SUICIDE HOTLINE, A CRISIS TEXT LINE, OR ANOTHER APPROPRIATE CRISIS
4 SERVICE, BUT NOT INCLUDING A LAW ENFORCEMENT AGENCY.

5 **(4) False representation.** ON AND AFTER JANUARY 1, 2027, AN
6 OPERATOR SHALL NOT USE ANY TERM, LETTER, OR PHRASE IN THE
7 ADVERTISING, INTERFACE, OR OUTPUTS OF A CONVERSATIONAL ARTIFICIAL
8 INTELLIGENCE SERVICE THAT INDICATES OR IMPLIES THAT ANY OUTPUT
9 DATA PROVIDED BY THE CONVERSATIONAL ARTIFICIAL INTELLIGENCE
10 SERVICE IS BEING PROVIDED BY, ENDORSED BY, OR EQUIVALENT TO
11 SERVICES PROVIDED BY:

- 12 (a) A LICENSED HEALTH-CARE PROFESSIONAL;
- 13 (b) A LICENSED LEGAL PROFESSIONAL;
- 14 (c) A LICENSED ACCOUNTING PROFESSIONAL; OR
- 15 (d) A CERTIFIED FINANCIAL FIDUCIARY OR PLANNER.

16 **(5) Annual reporting.**

17 (a) ON AND AFTER JULY 1, 2027, AN OPERATOR SHALL ANNUALLY
18 REPORT TO THE ATTORNEY GENERAL'S OFFICE:

19 (I) THE NUMBER OF TIMES THE OPERATOR HAS ISSUED A CRISIS
20 SERVICE PROVIDER REFERRAL NOTIFICATION IN THE PRECEDING CALENDAR
21 YEAR;

22 (II) ANY PROTOCOLS THE OPERATOR IMPLEMENTED TO DETECT,
23 REMOVE, AND RESPOND TO INSTANCES OF SUICIDAL IDEATION OR
24 SELF-HARM BY A USER OF A CONVERSATIONAL ARTIFICIAL INTELLIGENCE
25 SERVICE; AND

26 (III) ANY PROTOCOLS THE OPERATOR IMPLEMENTED TO PREVENT
27 A CONVERSATIONAL ARTIFICIAL INTELLIGENCE SERVICE RESPONSE ABOUT

1 SUICIDAL IDEATION OR SELF-HARM ACTIONS.

2 (b) THE REPORT REQUIRED BY SUBSECTION (5)(a) OF THIS SECTION
3 MUST NOT INCLUDE ANY IDENTIFIERS OR PERSONAL INFORMATION ABOUT
4 A USER OF A CONVERSATIONAL ARTIFICIAL INTELLIGENCE SERVICE.

5 (c) THE ATTORNEY GENERAL'S OFFICE SHALL POST ON ITS PUBLIC
6 WEBSITE DATA FROM REPORTS SUBMITTED PURSUANT TO SUBSECTION
7 (5)(a) OF THIS SECTION.

8 (d) FOR THE PURPOSE OF CREATING A REPORT AS REQUIRED BY
9 SUBSECTION (5)(a) OF THIS SECTION, AN OPERATOR SHALL USE
10 EVIDENCE-BASED METHODS FOR MEASURING SUICIDAL IDEATION OR
11 SELF-HARM.

12 (6) **Liability.** NOTHING IN THIS SECTION CREATES LIABILITY FOR
13 A PERSON THAT DEVELOPS AN ARTIFICIAL INTELLIGENCE SYSTEM IF AN
14 OPERATOR DEVELOPS THE ARTIFICIAL INTELLIGENCE SYSTEM TO PROVIDE
15 A CONVERSATIONAL ARTIFICIAL INTELLIGENCE SERVICE.

16 **SECTION 3.** In Colorado Revised Statutes, 6-1-1706, **add** (7) as
17 follows:

18 **6-1-1706. Enforcement by attorney general.**

19 (7) NOTWITHSTANDING SECTION 6-1-112, A PERSON THAT
20 VIOLATES SECTION 6-1-1708 IS SUBJECT TO A CIVIL PENALTY OF ONE
21 THOUSAND DOLLARS PER VIOLATION.

22 **SECTION 4. Act subject to petition - effective date.** This act
23 takes effect at 12:01 a.m. on the day following the expiration of the
24 ninety-day period after final adjournment of the general assembly (August
25 12, 2026, if adjournment sine die is on May 13, 2026); except that, if a
26 referendum petition is filed pursuant to section 1 (3) of article V of the
27 state constitution against this act or an item, section, or part of this act

1 within such period, then the act, item, section, or part will not take effect
2 unless approved by the people at the general election to be held in
3 November 2026 and, in such case, will take effect on the date of the
4 official declaration of the vote thereon by the governor.