

1 AN ACT concerning business.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 1. Short title. This Act may be cited as the
5 Artificial Intelligence Companion Model Safety Act.

6 Section 5. Definitions. As used in this Act:

7 "Artificial intelligence" has the same meaning set forth
8 in Section 2-101 of the Illinois Human Rights Act. "Artificial
9 intelligence" includes generative artificial intelligence.

10 "Artificial intelligence companion" means a product that
11 uses artificial intelligence or emotional recognition
12 algorithms designed to simulate a sustained human or
13 human-like relationship with a user by:

14 (1) retaining information on prior interactions or
15 user sessions and user preferences to personalize the
16 interaction and facilitate ongoing engagement with the
17 artificial intelligence companion;

18 (2) asking unprompted or unsolicited emotion-based
19 questions that go beyond a direct response to a user
20 prompt; and

21 (3) sustaining an ongoing dialogue concerning matters
22 personal to the user.

23 "Artificial intelligence companion" does not include:

1 (1) a bot that is primarily designed and marketed for
2 commercial use by business entities for customer service,
3 business operational purposes, productivity and analysis
4 related to source information, internal research, or
5 technical assistance;

6 (2) a bot that is a feature of a video game, film,
7 television program, other audiovisual work, theme park, or
8 location-based entertainment and is limited to replies
9 related to the entertainment that cannot discuss topics
10 related to mental health, self-harm, material harmful to
11 minors, or maintain a dialogue on other topics unrelated
12 to the forms of entertainment;

13 (3) a stand-alone consumer electronic device or a bot
14 incorporated into a stand-alone consumer electronic device
15 that functions as a speaker and voice command interface,
16 acts as a voice-activated virtual assistant, and does not
17 sustain a relationship across multiple interactions or
18 generate outputs that are likely to elicit emotional
19 responses in the user;

20 (4) narrowly tailored educational tools used in school
21 or instructional settings that are designed solely to
22 support specific, curriculum-aligned learning objectives
23 and do not provide open-ended conversational
24 companionship; or

25 (5) a bot used solely for motor vehicle operation or
26 navigation that cannot maintain a dialogue on topics

1 unrelated to motor vehicle operation or navigation.

2 "Harmful to minors" has the same meaning set forth in
3 Section 11-21 of the Criminal Code of 2012.

4 "Human relationships" include, but are not limited to,
5 intimate, romantic, or platonic interactions or companionship.

6 "Minor" means any user under 18 years of age.

7 "Operator" means any person, partnership, association,
8 corporation, firm, or business entity who makes available an
9 artificial intelligence companion for users in this State.

10 "Operator" does not include an application store, operating
11 system, or search engine that solely provides access to an
12 artificial intelligence companion operated by another entity.

13 "Product" means any tangible object or goods distributed
14 in commerce, including any service provided in connection with
15 the product.

16 "Relationship" includes, but is not limited to, intimate,
17 romantic, or platonic interactions or companionship.

18 "Self-harm" means intentional self-injury with or without
19 the intent to cause death.

20 "User" means any natural person who interacts with an
21 artificial intelligence companion for personal use in this
22 State and who is not an operator or agent or affiliate of the
23 operator of the artificial intelligence companion.

24 Section 10. General companion artificial intelligence
25 requirements.

1 (a) An operator shall not make available or deploy an
2 artificial intelligence companion unless the artificial
3 intelligence companion maintains and implements a protocol to
4 detect and address suicidal ideation or expressions of
5 self-harm by a user to the artificial intelligence companion.
6 The protocol shall include, but not be limited to:

7 (1) implementing reasonable methods for detecting user
8 expressions of suicidal ideation or self-harm;

9 (2) providing a notification to the user that refers
10 them to crisis service providers, such as the 9-8-8
11 Suicide and Crisis Lifeline, a crisis text line, or other
12 appropriate crisis services upon detection of the user's
13 expressions of suicidal ideation or self-harm; and

14 (3) implementing reasonable measures to prevent the
15 generation of content encouraging or describing how to
16 commit self-harm.

17 The operator shall publicly disclose, on the operator's
18 website, a general description of the protocol required by
19 this subsection, with sufficient detail for a user to know
20 that the operator has protocols in place but not enough detail
21 to circumvent the protocols, and the number of users who were
22 provided a notification that refers a user to crisis services
23 in the preceding year.

24 (b) An operator shall provide a clear and conspicuous
25 notification to a user, either verbally or in writing, in the
26 language that the user is interacting and communicating with

1 the artificial intelligence companion, that the user is
2 communicating with an automated system and not with a human.

3 The notification shall be provided:

4 (1) at the beginning of the interaction; and

5 (2) at least every 3 hours during continued
6 interaction.

7 The operator shall implement reasonable measures to
8 prohibit and prevent an artificial intelligence companion from
9 claiming to be human, including when asked by the user and from
10 otherwise generating any output that refutes or conflicts with
11 the disclosure described in this subsection.

12 For the purposes of this subsection, a person is
13 "interacting with" with an artificial intelligence companion
14 when the person uses voice, physical or visual gesture, text,
15 or touch contact as an input prompt to cause the artificial
16 intelligence companion to react, respond, or learn from that
17 prompt.

18 Section 15. Minor specific requirements.

19 (a) In addition to the requirements for all users under
20 Section 10, an operator shall, for a user that the operator
21 knows to be a minor, or if the operator's artificial
22 intelligence companion is directed to minors, implement
23 reasonable measures to prevent its artificial intelligence
24 companion from generating or producing material that is
25 harmful to minors or directly stating that the minor should

1 engage in conduct that is harmful to minors.

2 (b) For the purposes of this Section, an operator's
3 knowledge that a user is a minor may be acquired from
4 information and inferences known to an operator relating to
5 the age of an individual by any source, including the age
6 provided by the user in connection with the account,
7 self-identified age in any chat or interaction to which the
8 operator possesses a right of access or use, and any age the
9 operator attributes or associates with the user for any
10 purpose, including marketing, advertising, or product
11 development. Nothing in this subsection shall be interpreted
12 to require an operator to begin accessing or collecting any
13 user information or data to which they do not have access or
14 otherwise collect for purposes unrelated to this Act.

15 Section 20. Enforcement.

16 (a) The Attorney General or the State's Attorney of any
17 county in this State may bring an action in the name of the
18 People of this State against any person to restrain and
19 prevent any pattern or practice in violation of this Act.

20 (b) A violation of this Act constitutes an unlawful
21 practice under the Consumer Fraud and Deceptive Business
22 Practices Act. All remedies, penalties, and authority granted
23 to the Attorney General or the State's Attorney by the
24 Consumer Fraud and Deceptive Business Practices Act shall be
25 available to the Attorney General or the State's Attorney for

1 the enforcement of this Act.

2 (c) Any civil penalties collected from the enforcement of
3 this Act shall be deposited as follows:

4 (1) Prior to January 1, 2032, if the Attorney General
5 commenced the action, 75% of any penalty shall be
6 deposited into the Attorney General Court Ordered and
7 Voluntary Compliance Payment Projects Fund and 25% shall
8 be deposited into the Statewide 9-8-8 Trust Fund.

9 (2) Prior to January 1, 2032, if a State's Attorney
10 commenced the action, 75% of any penalty shall be
11 distributed to the county and deposited into a special
12 fund in the county treasury and appropriated to the
13 State's Attorney for use in accordance with law and 25%
14 shall be deposited into the Statewide 9-8-8 Trust Fund.

15 (3) On and after January 1, 2032, if the Attorney
16 General commenced the action, 50% of any penalty shall be
17 deposited into the Attorney General Court Ordered and
18 Voluntary Compliance Payment Projects Fund and 50% shall
19 be deposited into the Statewide 9-8-8 Trust Fund.

20 (4) On and after January 1, 2032, if a State's
21 Attorney commenced the action, 50% of any penalty shall be
22 distributed to the county and deposited into a special
23 fund in the county treasury and appropriated to the
24 State's Attorney for use in accordance with law and 50%
25 shall be deposited into the Statewide 9-8-8 Trust Fund.

26 (d) Moneys in the Attorney General Court Ordered and

1 Voluntary Compliance Payment Projects Fund shall be used,
2 subject to appropriation, for the performance of any function
3 pertaining to the exercise of the duties of the Attorney
4 General, including, but not limited to, enforcement of any law
5 of this State and conducting public education programs. Any
6 moneys in the Fund that are required by the court or by an
7 agreement to be used for a particular purpose shall be used for
8 that purpose.

9 Section 25. Action for actual damages. Any person who
10 suffers actual damage as a result of a violation of this Act
11 may bring an action under Section 10a of the Consumer Fraud and
12 Deceptive Business Practices Act.

13 Section 30. Application. The remedies provided in this Act
14 are cumulative and do not preclude any other lawful civil,
15 administrative, or criminal remedy available under State or
16 federal law, including, but not limited to, product liability
17 actions.

18 Section 35. The State Finance Act is amended by changing
19 Section 6z-134 as follows:

20 (30 ILCS 105/6z-134)

21 Sec. 6z-134. Statewide 9-8-8 Trust Fund.

22 (a) The Statewide 9-8-8 Trust Fund is created as a special

1 fund in the State treasury. This Fund is administered by the
2 Department of Human Services. Moneys in the Fund shall be used
3 by the Department of Human Services for the purposes of
4 establishing and maintaining a statewide 9-8-8 suicide
5 prevention and mental health crisis system pursuant to the
6 National Suicide Hotline Designation Act of 2020 as codified
7 in 47 U.S.C. 251 and 251a and any subsequent amendments, the
8 Federal Communication Commission's rules adopted to administer
9 the National Suicide Hotline Designation Act of 2020 as
10 codified in 47 U.S.C. 251 and 251a and any subsequent
11 amendments, and national guidelines for crisis care. The Fund
12 shall consist of:

13 (1) appropriations by the General Assembly;

14 (2) grants and gifts intended for deposit in the Fund;

15 (3) interest, premiums, gains, or other earnings on
16 the Fund;

17 (3.1) proceeds from the statewide 9-8-8 surcharge
18 imposed under Sections 3 and 4 of the Telecommunication
19 Excise Tax Act; ~~and~~

20 (3.2) fees, fines, and penalties collected under the
21 Artificial Intelligence Companion Model Safety Act; and

22 (4) moneys received from any other source that are
23 deposited in or transferred into the Fund.

24 (b) Moneys in the Fund:

25 (1) do not revert at the end of any State fiscal year
26 but remain available for the purposes of the Fund in

1 subsequent State fiscal years;

2 (2) are not subject to transfer to any other Fund or to
3 transfer, assignment, or reassignment for any other use or
4 purpose outside of those specified in this Section; and

5 (3) shall be used by the Department of Human Services
6 to pay expenses pursuant to 47 U.S.C. 251a.

7 (c) An annual report of Fund deposits and expenditures
8 shall be made to the General Assembly and the Federal
9 Communications Commission by the Department of Human Services
10 pursuant to 47 U.S.C. 251a.

11 (d) (Blank).

12 (e) For the purposes of this Section, "statewide 9-8-8
13 suicide prevention and mental health crisis system" means the
14 core elements or pillars of the crisis system, as described by
15 the Substance Abuse and Mental Health Services Administration,
16 and includes Illinois' 9-8-8 Lifeline Contact Centers,
17 community crisis response services, including mobile crisis
18 teams, and crisis receiving and stabilization facilities and
19 programs, including Living Room Programs.

20 (Source: P.A. 104-6, eff. 6-16-25.)

21 Section 40. The Wellness and Oversight for Psychological
22 Resources Act is amended by changing Section 35 as follows:

23 (225 ILCS 155/35)

24 Sec. 35. Exceptions. This Act does not apply to the

1 following:

2 (1) religious counseling;

3 (2) peer support; ~~and~~

4 (3) self-help materials and educational resources that
5 are available to the public and do not purport to offer
6 therapy or psychotherapy services; ~~and~~.

7 (4) a chatbot that complies with the Artificial
8 Intelligence Companion Model Safety Act and does not
9 provide therapy or psychotherapy services.

10 (Source: P.A. 104-54, eff. 8-1-25.)

11 Section 45. The Consumer Fraud and Deceptive Business
12 Practices Act is amended by adding Section 2MMMM as follows:

13 (815 ILCS 505/2MMMM new)

14 Sec. 2MMMM. Violations of the Artificial Intelligence
15 Companion Model Safety Act. Any person who violates the
16 Artificial Intelligence Companion Model Safety Act commits an
17 unlawful practice within the meaning of this Act.

18 Section 97. Severability. The provisions of this Act are
19 severable under Section 1.31 of the Statute on Statutes.

20 Section 99. Effective date. This Act takes effect January
21 1, 2027.