



Sen. Laura Ellman

Filed: 5/19/2026

10400SB0316sam002

LRB104 06437 SPS 37926 a

1 AMENDMENT TO SENATE BILL 316

2 AMENDMENT NO. _____. Amend Senate Bill 316 by replacing
3 everything after the enacting clause with the following:

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

1 artificial intelligence companion;

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

5 (3) sustaining an ongoing dialogue concerning matters
6 personal to the user.

7 "Artificial intelligence companion" does not include:

8 (1) a bot that is primarily designed and marketed for
9 commercial use by business entities for customer service,
10 business operational purposes, productivity and analysis
11 related to source information, internal research, or
12 technical assistance;

13 (2) a bot that is a feature of a video game, film,
14 television program, other audiovisual work, theme park, or
15 location-based entertainment and is limited to replies
16 related to the entertainment that cannot discuss topics
17 related to mental health, self-harm, material harmful to
18 minors, or maintain a dialogue on other topics unrelated
19 to the forms of entertainment;

20 (3) a stand-alone consumer electronic device or a bot
21 incorporated into a stand-alone consumer electronic device
22 that functions as a speaker and voice command interface,
23 acts as a voice-activated virtual assistant, and does not
24 sustain a relationship across multiple interactions or
25 generate outputs that are likely to elicit emotional
26 responses in the user;

1 (4) narrowly tailored educational tools used in school
2 or instructional settings that are designed solely to
3 support specific, curriculum-aligned learning objectives
4 and do not provide open-ended conversational
5 companionship; or

6 (5) a bot used solely for motor vehicle operation or
7 navigation that cannot maintain a dialogue on topics
8 unrelated to motor vehicle operation or navigation.

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

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

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

14 "Operator" means any person, partnership, association,
15 corporation, firm, or business entity who makes available an
16 artificial intelligence companion for users in this State.
17 "Operator" does not include an application store, operating
18 system, or search engine that solely provides access to an
19 artificial intelligence companion operated by another entity.

20 "Product" means any tangible object or goods distributed
21 in commerce, including any service provided in connection with
22 the product.

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

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

1 "User" means any natural person who interacts with an
2 artificial intelligence companion for personal use in this
3 State and who is not an operator or agent or affiliate of the
4 operator of the artificial intelligence companion.

5 Section 10. General companion artificial intelligence
6 requirements.

7 (a) An operator shall not make available or deploy an
8 artificial intelligence companion unless the artificial
9 intelligence companion maintains and implements a protocol to
10 detect and address suicidal ideation or expressions of
11 self-harm by a user to the artificial intelligence companion.
12 The protocol shall include, but not be limited to:

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

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

20 (3) implementing reasonable measures to prevent the
21 generation of content encouraging or describing how to
22 commit self-harm.

23 The operator shall publicly disclose, on the operator's
24 website, a general description of the protocol required by
25 this subsection, with sufficient detail for a user to know

1 that the operator has protocols in place but not enough detail
2 to circumvent the protocols, and the number of users who were
3 provided a notification that refers a user to crisis services
4 in the preceding year.

5 (b) An operator shall provide a clear and conspicuous
6 notification to a user, either verbally or in writing, in the
7 language that the user is interacting and communicating with
8 the artificial intelligence companion, that the user is
9 communicating with an automated system and not with a human.
10 The notification shall be provided:

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

12 (2) at least every 3 hours during continued
13 interaction.

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

19 For the purposes of this subsection, a person is
20 "interacting with" with an artificial intelligence companion
21 when the person uses voice, physical or visual gesture, text,
22 or touch contact as an input prompt to cause the artificial
23 intelligence companion to react, respond, or learn from that
24 prompt.

25 Section 15. Minor specific requirements.

1 (a) In addition to the requirements for all users under
2 Section 10, an operator shall, for a user that the operator
3 knows to be a minor, or if the operator's artificial
4 intelligence companion is directed to minors, implement
5 reasonable measures to prevent its artificial intelligence
6 companion from generating or producing material that is
7 harmful to minors or directly stating that the minor should
8 engage in conduct that is harmful to minors.

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

22 Section 20. Enforcement.

23 (a) The Attorney General or the State's Attorney of any
24 county in this State may bring an action in the name of the
25 People of this State against any person to restrain and

1 prevent any pattern or practice in violation of this Act.

2 (b) A violation of this Act constitutes an unlawful
3 practice under the Consumer Fraud and Deceptive Business
4 Practices Act. All remedies, penalties, and authority granted
5 to the Attorney General or the State's Attorney by the
6 Consumer Fraud and Deceptive Business Practices Act shall be
7 available to the Attorney General or the State's Attorney for
8 the enforcement of this Act.

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

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

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

22 (3) On and after January 1, 2032, if the Attorney
23 General commenced the action, 50% of any penalty shall be
24 deposited into the Attorney General Court Ordered and
25 Voluntary Compliance Payment Projects Fund and 50% shall
26 be deposited into the Statewide 9-8-8 Trust Fund.

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

7 (d) Moneys in the Attorney General Court Ordered and
8 Voluntary Compliance Payment Projects Fund shall be used,
9 subject to appropriation, for the performance of any function
10 pertaining to the exercise of the duties of the Attorney
11 General, including, but not limited to, enforcement of any law
12 of this State and conducting public education programs. Any
13 moneys in the Fund that are required by the court or by an
14 agreement to be used for a particular purpose shall be used for
15 that purpose.

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

20 Section 30. Application. The remedies provided in this Act
21 are cumulative and do not preclude any other lawful civil,
22 administrative, or criminal remedy available under State or
23 federal law, including, but not limited to, product liability
24 actions.

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

3 (30 ILCS 105/6z-134)

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

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

18 (1) appropriations by the General Assembly;

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

20 (3) interest, premiums, gains, or other earnings on
21 the Fund;

22 (3.1) proceeds from the statewide 9-8-8 surcharge
23 imposed under Sections 3 and 4 of the Telecommunication
24 Excise Tax Act; ~~and~~

1 (3.2) fees, fines, and penalties collected under the
2 Artificial Intelligence Companion Model Safety Act; and

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

5 (b) Moneys in the Fund:

6 (1) do not revert at the end of any State fiscal year
7 but remain available for the purposes of the Fund in
8 subsequent State fiscal years;

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

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

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

18 (d) (Blank).

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

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

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

4 (225 ILCS 155/35)

5 Sec. 35. Exceptions. This Act does not apply to the
6 following:

7 (1) religious counseling;

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

9 (3) self-help materials and educational resources that
10 are available to the public and do not purport to offer
11 therapy or psychotherapy services; ~~and~~

12 (4) a chatbot that compiles with the Artificial
13 Intelligence Companion Model Safety Act, if the chatbot
14 does not provide therapy, psychotherapy, or diagnoses by a
15 licensed professional.

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

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

19 (815 ILCS 505/2MMMM new)

20 Sec. 2MMMM. Violations of the Artificial Intelligence
21 Companion Model Safety Act. Any person who violates the
22 Artificial Intelligence Companion Model Safety Act commits an

1 unlawful practice within the meaning of this Act.

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

4 Section 99. Effective date. This Act takes effect January
5 1, 2027.".