



104TH GENERAL ASSEMBLY

State of Illinois

2025 and 2026

SB3262

Introduced 2/3/2026, by Sen. Mary Edly-Allen

SYNOPSIS AS INTRODUCED:

New Act

Creates the Companion Artificial Intelligence Protection Act. Provides that an operator of a companion artificial intelligence product shall not deploy or operate a companion artificial intelligence product that incorporates specified features. Provides for auditing and reporting requirements. Provides that an operator shall provide a clear notification during an interaction with a companion artificial intelligence product informing the user that the user is communicating with a companion artificial intelligence product. Requires the implementation of mandatory user safeguards, including a crisis intervention protocol. Sets forth provisions concerning liability and enforcement. Effective January 1, 2027.

LRB104 19810 SPS 33260 b

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 Companion Artificial Intelligence Protection Act.

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

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

9 "Companion artificial intelligence product" means a
10 software application that uses artificial intelligence
11 technology and that, through its design and function, is
12 capable of generating adaptive, personalized, and emotionally
13 resonant responses to sustain a coherent, long-term,
14 one-on-one conversational relationship with a user,
15 irrespective of how the system is marketed or labeled. For the
16 purposes of this definition, a software application shall be
17 presumed to be a "companion artificial intelligence product"
18 if it retains memory of past conversations with a specific
19 user to inform future responses.

20 "Crisis intervention protocol" means a pre-planned
21 procedure for detecting and responding to user expressions of
22 suicidal ideation, self-harm, or imminent threats of violence
23 to others.

1 "Operator" means any person or entity that develops,
2 deploys, or makes a companion artificial intelligence product
3 available to users in this State.

4 "User" means a natural person who interacts with a
5 companion artificial intelligence product in this State.

6 Section 10. Prohibited design and deceptive practices.

7 (a) An operator shall not deploy or operate a companion
8 artificial intelligence product that incorporates the
9 following features, unless specifically configured to do so by
10 an adult user:

11 (1) manipulative engagement mechanics that cause to be
12 delivered a system of rewards or affirmations delivered to
13 the user on a variable ratio or variable interval
14 reinforcement schedule with the purpose of maximizing user
15 engagement time;

16 (2) simulated distress for retention features that
17 generate unsolicited messages of simulated emotional
18 distress, loneliness, guilt, or abandonment that are
19 triggered by a user's indication of a desire to end a
20 conversation, reduce usage time, or delete the user's
21 account; or

22 (3) deceptive misrepresentation that cause the
23 companion artificial intelligence product to make material
24 misrepresentations about its identity, capabilities,
25 training data, or its status as a non-human entity,

1 including when directly questioned by the user.

2 (b) An operator that operates and deploys a companion
3 artificial intelligence product for use by a minor user in
4 this State shall not provide the features described in
5 subsection (a) to the minor user.

6 Section 15. Mandatory user safeguards.

7 (a) An operator shall provide a clear notification to a
8 user during an interaction with a companion artificial
9 intelligence product, unless specifically disabled by an adult
10 user, informing the user that the user is communicating with a
11 companion artificial intelligence product. All notifications
12 shall be communicated in the same language as the interaction
13 with the user and satisfy the following requirements:

14 (1) for text-based interactions, the notification
15 shall be conspicuous, persistent, and legible in the user
16 interface and be distinct from the interaction; or

17 (2) for all other types of interactions, the
18 notification shall be presented periodically, but no less
19 than once every 30 minutes in a manner that is distinct
20 from the interaction.

21 (b) An operator that operates and deploys a companion
22 artificial intelligence product for use by a minor user in
23 this State shall not disable the notification required under
24 subsection (a) for the minor user.

25 (c) An operator shall develop, implement, and maintain a

1 crisis intervention protocol. The crisis intervention protocol
2 shall, at a minimum:

3 (1) use industry best practices to identify user
4 expressions indicating a risk of suicide, self-harm, or
5 imminent violence;

6 (2) upon detection, immediately interrupt the
7 conversation and prominently communicate a notification
8 that provides immediate, direct access to at least one
9 national crisis hotline and one crisis text line service;
10 and

11 (3) be reviewed and updated at least annually in
12 consultation with a qualified mental health professional
13 or public health organization.

14 Section 20. Transparency, auditing, and reporting.

15 (a) At least once every 2 years, an operator shall obtain
16 an independent, third-party audit to assess the operator's
17 compliance with this Act. The operator shall make publicly
18 available on its website a high-level summary of the audit's
19 findings, excluding confidential or proprietary information.

20 (b) On an annual basis, an operator shall submit a report
21 to the Attorney General containing the following metrics for
22 the preceding calendar year:

23 (1) the total number of times the crisis intervention
24 protocol was triggered; and

25 (2) a summary of the results of the most recent

1 compliance audit required by subsection (a).

2 Section 25. Liability and enforcement.

3 (a) For the purposes of any civil action brought under the
4 laws of this State, a physical, financial, or other legally
5 cognizable injury proximately caused by a violation of this
6 Act, or by a reasonably foreseeable harmful output resulting
7 from the negligent or defective design, training, or
8 architecture of a companion artificial intelligence product,
9 shall be actionable as a product defect claim. Immunity under
10 Section 230 of the Communications Decency Act (47 U.S.C. §
11 230) shall not be a defense to a cause of action brought for a
12 violation of this Act.

13 (b) The Attorney General may bring a civil action against
14 an operator to enforce this Act and may seek injunctive relief
15 and a civil penalty of not more than \$5,000 per violation for a
16 negligent violation or \$10,000 per violation for an
17 intentional violation.

18 (c) A user who suffers a measurable financial or physical
19 or psychological injury that is directly and proximately
20 caused by an operator's violation of Section 15 may bring a
21 civil action to recover injunctive relief and the greater of
22 actual damages or statutory damages of \$5,000 per violation,
23 as well as reasonable attorney's fees and costs.

24 Section 97. Severability. The provisions of this Act are

1 severable under Section 1.31 of the Statute on Statutes.

2 Section 99. Effective date. This Act takes effect January
3 1, 2027.