

SENATE BILL NO. 1444

103RD GENERAL ASSEMBLY

INTRODUCED BY SENATOR LEWIS.

5255S.03I

KRISTINA MARTIN, Secretary

AN ACT

To amend chapter 407, RSMo, by adding thereto one new section relating to artificial intelligence in mental health, with penalty provisions.

Be it enacted by the General Assembly of the State of Missouri, as follows:

Section A. Chapter 407, RSMo, is amended by adding thereto
2 one new section, to be known as section 407.3007, to read as
3 follows:

407.3007. 1. As used in this section, the following
2 terms mean:

3 (1) "Artificial intelligence" or "AI" means:

4 (a) Any artificial system that performs tasks under
5 varying and unpredictable circumstances without significant
6 human oversight or that can learn from experience and
7 improve performance when exposed to data sets;

8 (b) An artificial system developed in computer
9 software, physical hardware, or other computer systems that
10 solves tasks requiring human-like perception, cognition,
11 planning, learning, communication, or physical action;

12 (c) An artificial system designed to think or act like
13 a human, including cognitive architectures and neural
14 networks;

15 (d) A set of techniques, including machine learning,
16 that is designed to approximate a cognitive task; or

17 (e) An artificial system designed to act rationally,
18 including an intelligent software agent or embodied robot
19 that achieves goals using perception, planning, reasoning,
20 learning, communicating, decision making, and acting;

21 (2) "Mental health professional", the same as defined
22 in section 632.005.

23 2. Any person or entity who develops or deploys
24 artificial intelligence in the state shall not advertise or
25 represent to the public that the AI is or is able to act as
26 a mental health professional or is capable of providing
27 therapy services.

28 3. Any violation of this section shall be considered
29 an unlawful practice under the Missouri merchandising
30 practices act under this chapter.

31 4. The attorney general shall enforce the provisions
32 of this section. Any individual may report violations of
33 this section to the attorney general. If the attorney
34 general finds that a violation occurred, the attorney
35 general shall commence a civil action in a court of
36 competent jurisdiction. If the court finds that a violation
37 occurred, the court may grant damages, civil penalties,
38 injunctive relief, attorney fees, and any such other relief
39 the court finds appropriate. Notwithstanding the provisions
40 of section 407.100 to the contrary, civil penalties shall be
41 as follows:

42 (1) Ten thousand dollars for the first violation; or

43 (2) Twenty thousand dollars for any subsequent
44 violation.

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