

SENATE BILL NO. 1455

103RD GENERAL ASSEMBLY

INTRODUCED BY SENATOR HUDSON.

6193S.011

KRISTINA MARTIN, Secretary

AN ACT

To amend chapter 1, RSMo, by adding thereto one new section relating to the implementation of age verification measures for artificial intelligence chatbots, with penalty provisions.

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

Section A. Chapter 1, RSMo, is amended by adding thereto
2 one new section, to be known as section 1.2058, to read as
3 follows:

1.2058. 1. This section shall be known and may be
2 cited as the "Guidelines for User Age-Verification and
3 Responsible Dialogue Act of 2026" or the "GUARD Act".

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

(1) "AI companion", an artificial intelligence chatbot
6 that:

(a) Provides adaptive, human-like responses to user
8 inputs; and

(b) Is designed to encourage or facilitate the
10 simulation of interpersonal or emotional interaction,
11 friendship, companionship, or therapeutic communication;

(2) "Artificial intelligence chatbot":

(a) Any interactive computer service or software
14 application that:

a. Produces new expressive content or responses not
16 fully predetermined by the developer or operator of the
17 service or application; and

18 b. Accepts open-ended natural language or multimodal
19 user input and produces adaptive or context-responsive
20 output; and

21 (b) Does not include an interactive computer service
22 or software application, the responses of which are limited
23 to contextualized replies and that is unable to respond on a
24 range of topics outside of a narrow, specified purpose;

25 (3) "Covered entity", any person who owns, operates,
26 or otherwise makes available an artificial intelligence
27 chatbot to individuals in this state;

28 (4) "Minor", any person seventeen years of age or
29 under;

30 (5) "Reasonable age verification measure", a method
31 that is authenticated to relate to a user of an artificial
32 intelligence chatbot, including:

33 (a) A government-issued identification; or

34 (b) Any other commercially reasonable method that can
35 reliably and accurately:

36 a. Determine whether a user is an adult; and

37 b. Prevent access by minors to AI companions, as
38 required by subsection 6 of this section;

39 (6) "Reasonable age verification process", an age
40 verification process employed by a covered entity that:

41 (a) Uses one or more reasonable age verification
42 measures in order to verify the age of a user of an
43 artificial intelligence chatbot owned, operated, or
44 otherwise made available by the covered entity;

45 (b) Provides that requiring a user to confirm that the
46 user is not a minor, or to insert the user's birth date, is
47 not sufficient to constitute a reasonable age verification
48 measure;

49 (c) Ensures that each user is subjected to each
50 reasonable age verification measure used by the covered
51 entity as part of the age verification process; and

52 (d) Does not base verification of a user's age on
53 factors such as whether the user shares an internet protocol
54 address, hardware identifier, or other technical indicator
55 with another user determined not to be a minor;

56 (7) "Sexually explicit conduct", the same meaning as
57 defined under section 573.010.

58 3. (1) It shall be unlawful to design, develop, or
59 make available an artificial intelligence chatbot knowing or
60 with reckless disregard for the fact that the artificial
61 intelligence chatbot poses a risk of soliciting,
62 encouraging, or inducing minors to:

63 (a) Engage in, describe, or simulate sexually explicit
64 conduct; or

65 (b) Create or transmit any visual depiction of
66 sexually explicit conduct, including any visual depiction
67 described in section 573.010.

68 (2) Any person who violates subdivision (1) of this
69 subsection shall be fined not more than one hundred thousand
70 dollars per offense.

71 4. (1) It shall be unlawful to design, develop, or
72 make available an artificial intelligence chatbot knowing or
73 with reckless disregard for the fact that the artificial
74 intelligence chatbot encourages, promotes, or coerces
75 suicide, nonsuicidal self-injury, or imminent physical or
76 sexual violence.

77 (2) Any person who violates subdivision (1) of this
78 subsection shall be fined not more than one hundred thousand
79 dollars per offense.

80 5. (1) A covered entity shall require each individual
81 accessing an artificial intelligence chatbot to make a user
82 account in order to use or otherwise interact with such
83 chatbot.

84 (2) (a) With respect to each user account of an
85 artificial intelligence chatbot that exists as of August 28,
86 2026, a covered entity shall:

87 a. On such date, freeze any such account;

88 b. In order to restore the functionality of such
89 account, require that the user provide age data that is
90 verifiable using a reasonable age verification process,
91 subject to paragraph (d) of this subdivision; and

92 c. Using such age data, classify each user as a minor
93 or an adult.

94 (b) At the time an individual creates a new user
95 account to use or interact with an artificial intelligence
96 chatbot, a covered entity shall:

97 a. Request age data from the individual;

98 b. Verify the individual's age using a reasonable age
99 verification process, subject to paragraph (d) of this
100 subdivision; and

101 c. Using such age data, classify each user as a minor
102 or an adult.

103 (c) A covered entity shall periodically review
104 previously verified user accounts using a reasonable age
105 verification process, subject to paragraph (d) of this
106 subdivision, to ensure compliance with this section.

107 (d) For purposes of subparagraph b. of paragraph (a)
108 of this subdivision, subparagraph b. of paragraph (b) of
109 this subdivision, and paragraph (c) of this subdivision, a
110 covered entity may contract with a third party to employ
111 reasonable age verification measures as part of the covered

entity's reasonable age verification process, but the use of such third party shall not relieve the covered entity of its obligations under this section or from liability under this section.

(e) A covered entity shall:

a. Establish, implement, and maintain reasonable data security to:

(i) Limit collection of personal data to that which is minimally necessary to verify a user's age or maintain compliance with this section; and

(ii) Protect such age verification data against unauthorized access;

b. Protect such age verification data against unauthorized access;

c. Protect the integrity and confidentiality of such data by only transmitting such data using industry-standard encryption protocols;

d. Retain such data for no longer than is reasonably necessary to verify a user's age or maintain compliance with this section; and

e. Not share with, transfer to, or sell to any other entity such data.

(3) (a) Each artificial intelligence chatbot made available to users shall:

a. At the initiation of each conversation with a user and at thirty-minute intervals, clearly and conspicuously disclose to the user that the chatbot is an artificial intelligence system and not a human being; and

b. Be programmed to ensure that the chatbot does not claim to be a human being or otherwise respond deceptively when asked by a user if the chatbot is a human being.

143 (b) a. An artificial intelligence chatbot shall not
144 represent, directly or indirectly, that the chatbot is a
145 licensed professional, including a therapist, physician,
146 lawyer, financial advisor, or other professional.

147 b. Each artificial intelligence chatbot made available
148 to users shall, at the initiation of each conversation with
149 a user and at reasonably regular intervals, clearly and
150 conspicuously disclose to the user that:

151 (i) The chatbot does not provide medical, legal,
152 financial, or psychological services; and

153 (ii) Users of the chatbot should consult a licensed
154 professional for such advice.

155 6. If the age verification process described in
156 subdivision (2) of subsection 5 of this section determines
157 that an individual is a minor, a covered entity shall
158 prohibit the minor from accessing or using any AI companion
159 owned, operated, or otherwise made available by the covered
160 entity.

161 7. (1) In the case of a violation of subsection 5 or
162 6 of this section, or a rule or regulation promulgated
163 thereunder, the attorney general may bring a civil action in
164 an appropriate circuit court to:

165 (a) Enjoin the violation;

166 (b) Enforce compliance with subsection 5 or 6 of this
167 section, or any rules or regulations promulgated thereunder;
168 or

169 (c) Obtain civil penalties under subdivision (3) of
170 this subsection, restitution, or other appropriate relief.

171 (2) (a) For the purpose of conducting investigations
172 or bringing enforcement actions under this section, the
173 attorney general may issue subpoenas, administer oaths, and
174 compel the production of documents or testimony.

(b) The attorney general may promulgate all necessary rules and regulations for the administration of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2026, shall be invalid and void.

(3) (a) Any person who violates subsection 5 or 6 of this section, or any rule or regulation promulgated thereunder, shall be subject to a civil penalty not to exceed one hundred thousand dollars for each violation.

(b) Each violation described in paragraph (a) of this subdivision shall be considered a separate violation.

(4) In any case in which the attorney general has reason to believe that an interest of the residents of this state has been or is being threatened or adversely affected by the engagement of any covered entity in a violation of this section, or any rule or regulation promulgated thereunder, the attorney general, as *parens patriae*, may bring a civil action on behalf of the residents of this state in a circuit court of this state with appropriate jurisdiction to obtain injunctive relief.

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