

SECOND REGULAR SESSION

SENATE BILL NO. 1455

103RD GENERAL ASSEMBLY

INTRODUCED BY SENATOR HUDSON.

6193S.01I

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 one new section, to be known as section 1.2058, to read as follows:

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

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

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

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

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

6. (2) "Artificial intelligence chatbot":

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

8. (a) Produces new expressive content or responses not fully predetermined by the developer or operator of the 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;

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

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

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

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

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

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

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

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

(2) Any person who violates subdivision (1) of this subsection shall be fined not more than one hundred thousand 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

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

116 (e) A covered entity shall:

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

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

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

124 b. Protect such age verification data against
125 unauthorized access;

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

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

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

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

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

140 b. Be programmed to ensure that the chatbot does not
141 claim to be a human being or otherwise respond deceptively
142 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.

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

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

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

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