

Enrolled Senate Bill 1546

Printed pursuant to Senate Interim Rule 213.28 by order of the President of the Senate in conformance with pre-session filing rules, indicating neither advocacy nor opposition on the part of the President (at the request of Senate Interim Committee on Early Childhood and Behavioral Health)

CHAPTER

AN ACT

Relating to artificial intelligence companions.

Be It Enacted by the People of the State of Oregon:

SECTION 1. (1) As used in this section:

(a)(A) “Artificial intelligence companion” means a system that uses artificial intelligence, generative artificial intelligence or algorithms that recognize emotion from input and that are designed to simulate a sustained, human-like platonic, intimate or romantic relationship or companionship with a user by:

(i) Retaining information from prior interactions or user sessions and from user preferences to personalize interactions with the user and facilitate ongoing engagement with the artificial intelligence companion;

(ii) Asking unprompted or unsolicited questions that are not direct responses to user input and that suggest or concern emotional topics; and

(iii) Sustaining an ongoing dialog concerning matters that are personal to the user.

(B) “Artificial intelligence companion” does not include:

(i) Software that operates solely for the purpose of customer service or support, assisting or supporting patient or resident care services in a facility, education, financial services or education, business operations, productivity, information analysis, internal research or technical assistance, regardless of the software’s capability to use natural language inputs and generate natural language outputs;

(ii) Software incorporated into a video game that is limited to providing interaction only with the features of the video game, if the software does not respond to input on topics such as mental health, self-harm, sexually explicit conduct or other topics unrelated to the features of the video game; or

(iii) A stand-alone consumer electronic device that functions as a speaker and voice command interface or acts as a voice-activated virtual assistant.

(b) “Artificial intelligence companion platform” means a website, application or other combination of software and hardware that allows or facilitates operation of and interaction with an artificial intelligence companion.

(c) “National 9-8-8 suicide and crisis lifeline” means the crisis hotline that the federal Substance Abuse and Mental Health Services Administration, or a successor agency, operates and makes available by telephone or by electronic means.

(d) “Operator” means a person that controls or makes an artificial intelligence companion or artificial intelligence companion platform available to users in this state.

(e) “Sexually explicit conduct” has the meaning given that term in ORS 163.665.

(f) “Youthline” means a service that the American Association for Suicidology, or a successor organization, has accredited for the purpose of providing youth peer support to individuals who contact the network by telephone or electronic means.

(2) If a reasonable person that interacts with an artificial intelligence companion or an artificial intelligence companion platform would believe that the person is interacting with a natural person, the operator shall provide on the artificial intelligence companion platform a clear and conspicuous notice that indicates that a user is interacting with artificially generated output and not a natural person.

(3)(a) An operator may not allow users in this state access to an artificial intelligence companion or artificial intelligence companion platform unless the operator has a protocol for using evidence-based methods for detecting input from the user that consists of suicidal ideation or intent or self-harm ideation or intent and that prevents the provision of content to the user that encourages suicidal ideation, suicide or self-harm in the user.

(b) The protocol described in paragraph (a) of this subsection at a minimum must:

(A) Require an artificial intelligence companion to provide a user that expresses suicidal ideation or intent or self-harm ideation or intent with a referral to and contact information and hyperlink for the national 9-8-8 suicide and crisis lifeline and, if the operator identifies the user as a person who is under 25 years of age, allow the artificial intelligence companion to alternatively provide a referral to and contact information and hyperlink for a youthline; and

(B) Use clinical best practices and expertise to establish how the artificial intelligence companion provides additional intervention for a user who continues to express suicidal ideation or intent or self-harm ideation or intent even after the artificial intelligence companion provides referrals to and contact information for the resources identified in subparagraph (A) of this paragraph.

(c) An operator shall publish on the operator’s website the details of the operator’s protocol.

(4)(a) If an operator knows or has reason to believe that a user of the operator’s artificial intelligence companion or artificial intelligence companion platform is a minor, the operator shall undertake reasonable measures to prevent the artificial intelligence companion from generating statements that would lead a reasonable person to believe that the person is interacting with another natural person, including statements that:

(A) Explicitly claim that the artificial intelligence companion is sentient or human;

(B) Simulate emotional dependence on the user;

(C) Simulate romantic interest or are sexual innuendo; or

(D) Role-play romantic relationships between adults and minors.

(b) In the circumstances described in paragraph (a) of this subsection, the operator shall cause the artificial intelligence companion to:

(A) Disclose to the user that the user is interacting with artificially generated output;

(B) Provide a clear and conspicuous reminder at a minimum of every three hours of interaction that the user should take a break from interactions with the artificial intelligence companion or artificial intelligence companion platform, along with a further reminder that the user is interacting with artificially generated output; and

(C) Use reasonable measures to ensure that the artificial intelligence companion or artificial intelligence companion platform does not produce visual representations of sexually explicit conduct or suggest or state that the minor should engage in sexually explicit conduct.

(c) In the circumstances described in paragraph (a) of this subsection, an operator must undertake reasonable measures to prevent an artificial intelligence companion from:

(A) Delivering to a user, either on a variable schedule or otherwise, a system of rewards or affirmations with the purpose of reinforcing behavior or maximizing the time during which the user engages with the artificial intelligence companion;

(B) Generating in response to a user’s indication of a desire to end a conversation, reduce engagement time or delete the user’s account unsolicited messages of simulated emotional distress, loneliness or abandonment or otherwise attempt to arouse guilt or sympathy in the user; or

(C) Making a material misrepresentation about the artificial intelligence companion’s identity, capabilities or training data or about whether the user is interacting with artificially generated output, including when the user directly questions the artificial intelligence companion about any of these topics.

(5)(a) Not later than December 31 of each year, an operator shall post on a publicly accessible website a report that discloses:

(A) The number of times during the calendar year preceding the report in which the operator provided a referral under subsection (3) of this section; and

(B) The details of the operator’s protocol under subsection (3) of this section.

(b) An operator may not include in the report described in paragraph (a) of this subsection any personal information that identifies an individual.

SECTION 2. (1) An individual who suffers an ascertainable loss of money or property or other injury in fact as a result of an operator’s violation of section 1 of this 2026 Act may bring an action in a court of this state to recover:

(a) The greater of the individual’s actual damages or statutory damages of \$1,000 for each violation; and

(b) An injunction to prevent or restrain the violation.

(2) A court may award a prevailing plaintiff attorney fees and costs in an action under this section.

(3) Relief or a recovery under this section does not relieve an operator of any duty, remedy or obligation to which the operator is subject under other applicable law.

Passed by Senate February 19, 2026

Received by Governor:

Repassed by Senate March 5, 2026

.....M.,....., 2026

Approved:

.....
Obadiah Rutledge, Secretary of Senate

.....M.,....., 2026

.....
Rob Wagner, President of Senate

.....
Tina Kotek, Governor

Passed by House March 4, 2026

Filed in Office of Secretary of State:

.....M.,....., 2026

.....
Julie Fahey, Speaker of House

.....
Tobias Read, Secretary of State