

Requested by Senator REYNOLDS

**PROPOSED AMENDMENTS TO
SENATE BILL 1546**

1 On page 1 of the printed bill, delete lines 4 through 22 and delete page
2 2 and insert:

3 **“SECTION 1. (1) As used in this section:**

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

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

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

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

18 **“(B) ‘Artificial intelligence companion’ does not include:**

19 **“(i) Software that operates solely for the purpose of customer ser-**
20 **vice or support, assisting or supporting patient or resident care ser-**
21 **vices in a facility, education, financial services or education, business**

1 operations, productivity, information analysis, internal research or
2 technical assistance, regardless of the software's capability to use na-
3 tural language inputs and generate natural language outputs;

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

9 “(iii) A stand-alone consumer electronic device that functions as a
10 speaker and voice command interface or acts as a voice-activated vir-
11 tual assistant.

12 “(b) ‘Artificial intelligence companion platform’ means a website,
13 application or other combination of software and hardware that allows
14 or facilitates operation of and interaction with an artificial intelli-
15 gence companion.

16 “(c) ‘Operator’ means a person that controls or makes an artificial
17 intelligence companion or artificial intelligence companion platform
18 available to users in this state.

19 “(d) ‘Sexually explicit conduct’ has the meaning given that term in
20 ORS 163.665.

21 “(e) ‘Suicide and crisis lifeline’ means the crisis hotline that the
22 federal Substance Abuse and Mental Health Services Administration,
23 or a successor agency, operates and makes available by telephone or
24 by electronic means.

25 “(f) ‘Youthline’ means a service that the American Association for
26 Suicidology, or a successor organization, has accredited for the pur-
27 pose of providing peer support and counseling to individuals who con-
28 tact the network by telephone or electronic means.

29 “(2) If a reasonable person that interacts with an artificial intelli-
30 gence companion or an artificial intelligence companion platform

1 would believe that the person is interacting with a natural person, the
2 operator shall provide on the artificial intelligence companion plat-
3 form a clear and conspicuous notice that indicates that a user is
4 interacting with artificially generated output and not a natural person.

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

12 “(b) The protocol described in paragraph (a) of this subsection at a
13 minimum must require an artificial intelligence companion to:

14 “(A) Provide a user that expresses suicidal ideation or intent or
15 self-harm ideation or intent with a referral to and contact information
16 for a suicide and crisis lifeline or, if the operator identifies the user
17 as a person who is under 25 years of age, with a referral to and contact
18 information for a youthline; and

19 “(B) If the user continues to express suicidal ideation or intent or
20 self-harm ideation or intent, to continue to respond with referrals to
21 and contact information for a suicide and crisis lifeline or youthline
22 as provided in subparagraph (A) of this paragraph until the user no
23 longer expresses suicidal ideation or intent or self-harm ideation or
24 intent. If the user is under 25 years of age and no longer expresses
25 suicidal ideation or intent or self-harm ideation or intent, the artificial
26 intelligence companion may resume interactions with the user that
27 comply with the requirements of subsection (4) of this section.

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

30 “(4)(a) If an operator knows or has reason to believe that a user of

1 the operator's artificial intelligence companion or artificial intelli-
2 gence companion platform is a minor, the operator shall undertake
3 reasonable measures to prevent the artificial intelligence companion
4 from generating statements that would lead a reasonable person to
5 believe that the person is interacting with another natural person,
6 including statements that:

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

9 “(B) Simulate emotional dependence on the user;

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

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

12 “(b) In the circumstances described in paragraph (a) of this sub-
13 section, the operator shall cause the artificial intelligence companion
14 to:

15 “(A) Disclose to the user that the user is interacting with arti-
16 ficially generated output;

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

22 “(C) Use reasonable measures to ensure that the artificial intelli-
23 gence companion or artificial intelligence companion platform does
24 not produce visual representations of sexually explicit conduct or
25 suggest or state that the minor should engage in sexually explicit
26 conduct.

27 “(c) In the circumstances described in paragraph (a) of this sub-
28 section, an operator must undertake reasonable measures to prevent
29 an artificial intelligence companion from:

30 “(A) Delivering to a user, either on a variable schedule or other-

1 wise, a system of rewards or affirmations with the purpose of rein-
2 forcing behavior or maximizing the time during which the user
3 engages with the artificial intelligence companion;

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

9 “(C) Making a material misrepresentation about the artificial in-
10 telligence companion’s identity, capabilities, training data or about
11 whether the user is interacting with artificially generated output, in-
12 cluding when the user directly questions the artificial intelligence
13 companion about any of these topics.

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

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

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

21 “(b) An operator may not include in the report described in para-
22 graph (a) of this subsection any personal information that identifies
23 an individual.”.

24 On page 3, delete lines 1 through 23.