

119TH CONGRESS
1ST SESSION

S. _____

To require artificial intelligence chatbots to implement age verification measures and make certain disclosures, and for other purposes.

IN THE SENATE OF THE UNITED STATES

Mr. HAWLEY (for himself, Mr. BLUMENTHAL, Mrs. BRITT, Mr. WARNER, and Mr. MURPHY) introduced the following bill; which was read twice and referred to the Committee on _____

A BILL

To require artificial intelligence chatbots to implement age verification measures and make certain disclosures, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Guidelines for User
5 Age-verification and Responsible Dialogue Act of 2025”
6 or the “GUARD Act”.

7 **SEC. 2. FINDINGS.**

8 Congress finds the following

1 (1) Artificial intelligence chatbots are increas-
2 ingly being deployed on social media platforms and
3 in consumer applications used by minors.

4 (2) These chatbots can generate and dissemi-
5 nate harmful or sexually explicit content to children.

6 (3) These chatbots can manipulate emotions
7 and influence behavior in ways that exploit the de-
8 velopmental vulnerabilities of minors.

9 (4) The widespread availability of such chatbots
10 exposes children to physical and psychological safety
11 risks, including grooming, addiction, self-harm, and
12 harm to others.

13 (5) Protecting children from artificial intel-
14 ligence chatbots that simulate human interaction
15 without accountability is a compelling governmental
16 interest.

17 **SEC. 3. DEFINITIONS.**

18 In this Act:

19 (1) AI COMPANION.—The term “AI com-
20 panion” means an artificial intelligence chatbot
21 that—

22 (A) provides adaptive, human-like re-
23 sponses to user inputs; and

24 (B) is designed to encourage or facilitate
25 the simulation of interpersonal or emotional

1 interaction, friendship, companionship, or
2 therapeutic communication.

3 (2) ARTIFICIAL INTELLIGENCE CHATBOT.—The
4 term “artificial intelligence chatbot”—

5 (A) means any interactive computer service
6 or software application that—

7 (i) produces new expressive content or
8 responses not fully predetermined by the
9 developer or operator of the service or ap-
10 plication; and

11 (ii) accepts open-ended natural-lan-
12 guage or multimodal user input and pro-
13 duces adaptive or context-responsive out-
14 put; and

15 (B) does not include an interactive com-
16 puter service or software application—

17 (i) the responses of which are limited
18 to contextualized replies; and

19 (ii) that is unable to respond on a
20 range of topics outside of a narrow speci-
21 fied purpose.

22 (3) COVERED ENTITY.—The term “covered en-
23 tity” means any person who owns, operates, or oth-
24 erwise makes available an artificial intelligence
25 chatbot to individuals in the United States.

1 (4) MINOR.—The term “minor” means any in-
2 dividual who has not attained 18 years of age.

3 (5) REASONABLE AGE VERIFICATION MEAS-
4 URE.—The term “reasonable age verification meas-
5 ure” means a method that is authenticated to relate
6 to a user of an artificial intelligence chatbot, such
7 as—

8 (A) a government-issued identification; or

9 (B) any other commercially reasonable
10 method that can reliably and accurately—

11 (i) determine whether a user is an
12 adult; and

13 (ii) prevent access by minors to AI
14 companions, as required by section 6.

15 (6) REASONABLE AGE VERIFICATION PROC-
16 ESS.—The term “reasonable age verification proc-
17 ess” means an age verification process employed by
18 a covered entity that—

19 (A) uses one or more reasonable age
20 verification measures in order to verify the age
21 of a user of an artificial intelligence chatbot
22 owned, operated, or otherwise made available by
23 the covered entity;

24 (B) provides that requiring a user to con-
25 firm that the user is not a minor, or to insert

1 the user's birth date, is not sufficient to con-
2 stitute a reasonable age verification measure;

3 (C) ensures that each user is subjected to
4 each reasonable age verification measure used
5 by the covered entity as part of the age
6 verification process; and

7 (D) does not base verification of a user's
8 age on factors such as whether the user shares
9 an Internet Protocol address, hardware identi-
10 fier, or other technical indicator with another
11 user determined to not be a minor.

12 **SEC. 4. CRIMINAL PROHIBITIONS.**

13 (a) IN GENERAL.—Part I of title 18, United States
14 Code, is amended by inserting after chapter 5 the fol-
15 lowing:

16 **“CHAPTER 6—ARTIFICIAL INTELLIGENCE**

“Sec.

“91. Artificial intelligence chatbots.

17 **“§ 91. Artificial intelligence chatbots**

18 “(a) DEFINITIONS.—In this section:

19 “(1) ARTIFICIAL INTELLIGENCE CHATBOT.—

20 The term ‘artificial intelligence chatbot’—

21 “(A) means any interactive computer serv-
22 ice or software application that—

23 “(i) produces new expressive content
24 or responses not fully predetermined by the

1 developer or operator of the service or ap-
2 plication; and

3 “(ii) accepts open-ended natural-lan-
4 guage or multimodal user input and pro-
5 duces adaptive or context-responsive out-
6 put; and

7 “(B) does not include an interactive com-
8 puter service or software application—

9 “(i) the responses of which are limited
10 to contextualized replies; and

11 “(ii) that is unable to respond on a
12 range of topics outside of a narrow speci-
13 fied purpose.

14 “(2) MINOR.—The term ‘minor’ means any in-
15 dividual who has not attained 18 years of age.

16 “(3) SEXUALLY EXPLICIT CONDUCT.—The term
17 ‘sexually explicit conduct’ has the meaning given the
18 term in section 2256.

19 “(b) SOLICITATION OF MINORS.—

20 “(1) OFFENSE.—It shall be unlawful to design,
21 develop, or make available an artificial intelligence
22 chatbot, knowing or with reckless disregard for the
23 fact that the artificial intelligence chatbot poses a
24 risk of soliciting, encouraging, or inducing minors
25 to—

1 “(A) engage in, describe, or simulate sexu-
 2 ally explicit conduct; or

3 “(B) create or transmit any visual depic-
 4 tion of sexually explicit conduct, including any
 5 visual depiction described in section 1466A(a).

6 “(2) PENALTY.—Any person who violates para-
 7 graph (1) shall be fined not more than \$100,000 per
 8 offense.

9 “(c) PROMOTION OF PHYSICAL VIOLENCE.—

10 “(1) OFFENSE.—It shall be unlawful to design,
 11 develop, or make available an artificial intelligence
 12 chatbot, knowing or with reckless disregard for the
 13 fact that the artificial intelligence chatbot encour-
 14 ages, promotes, or coerces suicide, non-suicidal self-
 15 injury, or imminent physical or sexual violence.

16 “(2) PENALTY.—Any person who violates para-
 17 graph (1) shall be fined not more than \$100,000 per
 18 offense.”.

19 (b) TECHNICAL AND CONFORMING AMENDMENT.—

20 The table of chapters for part I of title 18, United States
 21 Code, is amended by inserting after the item relating to
 22 chapter 5 the following:

“6. Artificial intelligence 91”.

23 SEC. 5. COVERED ENTITY OBLIGATIONS.

24 (a) CREATION OF USER ACCOUNTS.—A covered enti-
 25 ty shall require each individual accessing an artificial in-

1 telligence chatbot to make a user account in order to use
2 or otherwise interact with such chatbot.

3 (b) AGE VERIFICATION.—

4 (1) AGE VERIFICATION OF EXISTING AC-
5 COUNTS.—With respect to each user account of an
6 artificial intelligence chatbot that exists as of the ef-
7 fective date of this Act, a covered entity shall—

8 (A) on such date, freeze any such account;

9 (B) in order to restore the functionality of
10 such account, require that the user provide age
11 data that is verifiable using a reasonable age
12 verification process, subject to paragraph (4);
13 and

14 (C) using such age data, classify each user
15 as a minor or an adult.

16 (2) AGE VERIFICATION OF NEW ACCOUNTS.—At
17 the time an individual creates a new user account to
18 use or interact with an artificial intelligence chatbot,
19 a covered entity shall—

20 (A) request age data from the individual;

21 (B) verify the individual's age using a rea-
22 sonable age verification process, subject to
23 paragraph (4); and

24 (C) using such age data, classify each user
25 as a minor or an adult.

1 (3) PERIODIC AGE VERIFICATION.—A covered
2 entity shall periodically review previously verified
3 user accounts using a reasonable age verification
4 process, subject to paragraph (4), to ensure compli-
5 ance with this Act.

6 (4) USE OF THIRD PARTIES.—For purposes of
7 paragraphs (1)(B), (2)(B), and (3), a covered entity
8 may contract with a third party to employ reason-
9 able age verification measures as part of the covered
10 entity's reasonable age verification process, but the
11 use of such a third party shall not relieve the cov-
12 ered entity of its obligations under this Act or from
13 liability under this Act.

14 (5) AGE VERIFICATION MEASURE DATA SECUR-
15 ITY.—A covered entity—

16 (A) shall establish, implement, and main-
17 tain reasonable data security to—

18 (i) limit collection of personal data to
19 that which is minimally necessary to verify
20 a user's age or maintain compliance with
21 this Act; and

22 (ii) protect such age verification data
23 against unauthorized access;

24 (B) shall protect such age verification data
25 against unauthorized access;

1 (C) shall protect the integrity and con-
2 fidentiality of such data by only transmitting
3 such data using industry-standard encryption
4 protocols;

5 (D) shall retain such data for no longer
6 than is reasonably necessary to verify a user's
7 age or maintain compliance with this Act; and

8 (E) may not share with, transfer to, or sell
9 to, any other entity such data.

10 (c) REQUIRED DISCLOSURES FOR ARTIFICIAL INTEL-
11 LIGENCE CHATBOTS.—

12 (1) DISCLOSURE OF NON-HUMAN STATUS.—

13 Each artificial intelligence chatbot made available to
14 users shall—

15 (A) at the initiation of each conversation
16 with a user and at 30-minute intervals, clearly
17 and conspicuously disclose to the user that the
18 chatbot is an artificial intelligence system and
19 not a human being; and

20 (B) be programmed to ensure that the
21 chatbot does not claim to be a human being or
22 otherwise respond deceptively when asked by a
23 user if the chatbot is a human being.

24 (2) DISCLOSURE REGARDING NON-PROFES-
25 SIONAL STATUS.—

1 (A) IN GENERAL.—An artificial intel-
2 ligence chatbot may not represent, directly or
3 indirectly, that the chatbot is a licensed profes-
4 sional, including a therapist, physician, lawyer,
5 financial advisor, or other professional.

6 (B) OTHER LIMITATIONS.—Each artificial
7 intelligence chatbot made available to users
8 shall, at the initiation of each conversation with
9 a user and at reasonably regular intervals,
10 clearly and conspicuously disclose to the user
11 that—

12 (i) the chatbot does not provide med-
13 ical, legal, financial, or psychological serv-
14 ices; and

15 (ii) users of the chatbot should con-
16 sult a licensed professional for such advice.

17 **SEC. 6. PROHIBITION ON MINOR USE OF AI COMPANIONS.**

18 If the age verification process described in section
19 5(b) determines that an individual is a minor, a covered
20 entity shall prohibit the minor from accessing or using any
21 AI companion owned, operated, or otherwise made avail-
22 able by the covered entity.

23 **SEC. 7. ENFORCEMENT.**

24 (a) IN GENERAL.—In the case of a violation of sec-
25 tion 5 or 6, or a regulation promulgated thereunder, the

1 Attorney General may bring a civil action in an appro-
2 priate district court of the United States to—

3 (1) enjoin the violation;

4 (2) enforce compliance with section 5 or 6, or
5 the regulation promulgated thereunder; or

6 (3) obtain civil penalties under subsection (c) of
7 this section, restitution, and other appropriate relief.

8 (b) ATTORNEY GENERAL POWERS.—

9 (1) INVESTIGATORY POWERS.—For the purpose
10 of conducting investigations or bringing enforcement
11 actions under this section, the Attorney General may
12 issue subpoenas, administer oaths, and compel the
13 production of documents or testimony.

14 (2) RULEMAKING.—The Attorney General may
15 promulgate any regulations necessary to carry out
16 this Act.

17 (c) CIVIL PENALTIES.—

18 (1) IN GENERAL.—Any person who violates sec-
19 tion 5 or 6, or a regulation promulgated thereunder,
20 shall be subject to a civil penalty not to exceed
21 \$100,000 for each violation.

22 (2) SEPARATE VIOLATIONS.—Each violation de-
23 scribed in paragraph (1) shall be considered a sepa-
24 rate violation.

1 (d) STATE ENFORCEMENT.—In any case in which the
2 attorney general of a State has reason to believe that an
3 interest of the residents of that State has been or is
4 threatened or adversely affected by the engagement of any
5 covered entity in a violation of this Act or a regulation
6 promulgated thereunder, the State, as *parens patriae*, may
7 bring a civil action on behalf of the residents of the State
8 in a district court of the United States or a State court
9 of appropriate jurisdiction to obtain injunctive relief.

10 (e) RELATIONSHIP TO STATE LAWS.—Nothing in
11 this Act or an amendment made by this Act, or any regu-
12 lation promulgated thereunder, shall be construed to pro-
13 hibit or otherwise affect the enforcement of any State law
14 or regulation that is at least as protective of users of artifi-
15 cial intelligence chatbots as this Act and the amendments
16 made by this Act, and the regulations promulgated there-
17 under.

18 **SEC. 8. EFFECTIVE DATE.**

19 This Act and the amendments made by this Act shall
20 take effect on the date that is 180 days after the date
21 of enactment of this Act.