

Second Regular Session
Seventy-fifth General Assembly
STATE OF COLORADO

PREAMENDED

*This Unofficial Version Includes Committee
Amendments Not Yet Adopted on Second Reading*

LLS NO. 26-0420.01 Clare Haffner x6137

HOUSE BILL 26-1263

HOUSE SPONSORSHIP

Camacho and Mabrey, Clifford, Duran, Jackson, Joseph, Lieder, Lindsay, McCluskie,
Nguyen, Ricks, Rutinel, Sirota

SENATE SPONSORSHIP

Carson and Jodeh,

House Committees
Business Affairs & Labor

Senate Committees
Business, Labor, & Technology

A BILL FOR AN ACT

101 **CONCERNING REQUIREMENTS FOR AN OPERATOR OF A**
102 **CONVERSATIONAL ARTIFICIAL INTELLIGENCE SERVICE.**

Bill Summary

(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://leg.colorado.gov>.)

The bill defines a "conversational artificial intelligence service" as an artificial intelligence system that is accessible to the general public and that primarily simulates human conversation and interaction through textual, visual, or aural communications.

Effective January 1, 2027, the bill creates requirements for a person that develops and makes available a conversational artificial

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
Capital letters or bold & italic numbers indicate new material to be added to existing law.
Dashes through the words or numbers indicate deletions from existing law.

HOUSE
3rd Reading Unamended
April 21, 2026

HOUSE
Amended 2nd Reading
April 20, 2026

intelligence service (operator).

For a user of a conversational artificial intelligence service who is under 18 years old (minor user), an operator is:

- Required to provide certain disclosures;
- Prohibited from providing the minor user with points or rewards to encourage engagement with the conversational artificial intelligence service;
- Required to institute reasonable measures to prevent the conversational artificial intelligence service from producing sexually explicit content or statements that simulate emotional dependence; and
- Required to provide tools for the minor user or a parent or guardian of the minor user to manage the minor user's privacy and account settings.

The bill also requires an operator to provide consumer disclosures, implement a protocol for user prompts regarding suicidal ideation or self-harm, and annually report to the attorney general's office information regarding the protocol the operator is implementing. The bill prohibits an operator from indicating or implying that any output data provided by a conversational artificial intelligence service is provided by, endorsed by, or equivalent to services provided by certain licensed or certified professionals.

A violation of the bill is a deceptive trade practice, enforceable by the attorney general under the "Colorado Consumer Protection Act". A person that violates the bill is subject to a civil penalty of \$1,000 per violation.

1 *Be it enacted by the General Assembly of the State of Colorado:*
2 **SECTION 1.** In Colorado Revised Statutes, 6-1-1701, **add** (4.5),
3 (10.3), (10.5), (10.7), (10.9), and (13) as follows:
4 **6-1-1701. Definitions.**
5 As used in this part 17, unless the context otherwise requires:
6 (4.5) (a) "CONVERSATIONAL ARTIFICIAL INTELLIGENCE SERVICE"
7 MEANS AN ARTIFICIAL INTELLIGENCE SYSTEM THAT IS ACCESSIBLE TO THE
8 GENERAL PUBLIC AND THAT PRIMARILY SIMULATES HUMAN
9 CONVERSATION AND INTERACTION THROUGH ADAPTIVE TEXTUAL, VISUAL,
10 OR AURAL COMMUNICATIONS.

1 (b) "CONVERSATIONAL ARTIFICIAL INTELLIGENCE SERVICE" DOES
2 NOT INCLUDE A SOFTWARE APPLICATION, WEB INTERFACE, OR COMPUTER
3 PROGRAM THAT:

4 (I) IS PRIMARILY DESIGNED AND MARKETED FOR USE BY A
5 DEVELOPER OR RESEARCHER;

6 (II) IS PRIMARILY DESIGNED TO PROVIDE COMMERCE-RELATED OR
7 TRANSACTIONAL ASSISTANCE, INCLUDING PRODUCT OR SERVICE
8 RECOMMENDATIONS, SHOPPING, ORDERING, PAYMENTS, DELIVERY,
9 RETURNS, CUSTOMER SUPPORT, OR CUSTOMER SERVICE;

10 (III) IS DESIGNED TO PROVIDE OUTPUTS RELATING TO A NARROW
11 AND DISCRETE TOPIC AND CANNOT GENERATE OUTPUTS RELATED TO
12 SEXUALLY EXPLICIT CONDUCT OR DEPICTIONS, AS DESCRIBED IN SECTION
13 6-1-1708 (2)(c) AND (2)(d), OR MAINTAIN DIALOGUE RELATED TO
14 SUICIDAL IDEATION OR SELF-HARM;

15 (IV) IS PRIMARILY DESIGNED AND MARKETED FOR COMMERCIAL
16 USE BY BUSINESS ENTITIES FOR THE PURPOSE OF BUSINESS OPERATIONS,
17 PRODUCTIVITY, INFORMATION ANALYSIS, INTERNAL RESEARCH, TRAINING,
18 OR TECHNICAL ASSISTANCE;

19 (V) FUNCTIONS AS A SPEAKER AND VOICE COMMAND INTERFACE
20 OR TEXT INTERFACE AND ACTS AS A VOICE- OR TEXT-ACTIVATED VIRTUAL
21 ASSISTANT FOR A CONSUMER ELECTRONIC DEVICE AND CANNOT GENERATE
22 OUTPUTS RELATED TO SEXUALLY EXPLICIT CONDUCT OR DEPICTIONS, AS
23 DESCRIBED IN SECTION 6-1-1708 (2)(c) AND (2)(d), OR ENCOURAGE
24 DIALOGUE RELATED TO SUICIDAL IDEATION OR SELF-HARM;

25 (VI) IS USED BY A BUSINESS SOLELY FOR INTERNAL PURPOSES;

26 (VII) IS A FEATURE OF A VIDEO GAME THAT IS LIMITED TO
27 DIALOGUE FOCUSED ON THE VIDEO GAME AND DOES NOT MAINTAIN

1 DIALOGUE ON TOPICS UNRELATED TO THE VIDEO GAME;

2 (VIII) IS A FEATURE OF A THEME PARK OR LOCATION-BASED
3 ENTERTAINMENT AND IS LIMITED IN DIALOGUE TO TOPICS SOLELY RELATED
4 TO THE THEME PARK OR LOCATION-BASED ENTERTAINMENT AND DOES NOT
5 MAINTAIN A DIALOGUE ABOUT TOPICS UNRELATED TO THE THEME PARK OR
6 LOCATION-BASED ENTERTAINMENT;

7 (IX) IS USED BY A COVERED ENTITY OR BUSINESS ASSOCIATE OF A
8 COVERED ENTITY, OR IS RENDERED TO OR PROVIDED ON BEHALF OF A
9 COVERED ENTITY, AS THOSE TERMS ARE DEFINED IN THE FEDERAL
10 "HEALTH INSURANCE PORTABILITY AND ACCOUNTABILITY ACT OF 1996",
11 42 U.S.C. SECS. 1320d TO 1320d-9.

12 (X) IS USED BY AN ENTITY SUBJECT TO THE "HEALTH CARE
13 AVAILABILITY ACT", ARTICLE 64 OF TITLE 13; ___

14 (XI) IS AN EDUCATIONAL TOOL DESIGNED PRIMARILY TO SUPPORT
15 SPECIFIC AND LIMITED INSTRUCTIONAL, ADMINISTRATIVE, ACCESSIBILITY,
16 OR STUDENT SUPPORT PURPOSES IN A SCHOOL SETTING AND THAT IS NOT
17 DESIGNED TO SIMULATE EMOTIONAL COMPANIONSHIP OR ENCOURAGE
18 EMOTIONALLY DEPENDENT INTERACTION; OR

19 (XII) IS A FEATURE WITHIN ANOTHER SOFTWARE APPLICATION,
20 WEB INTERFACE, OR COMPUTER PROGRAM THAT IS NOT DESIGNED TO
21 SIMULATE EMOTIONAL COMPANIONSHIP OR ENCOURAGE EMOTIONALLY
22 DEPENDENT INTERACTION AND THAT IS NOT A CONVERSATIONAL
23 ARTIFICIAL INTELLIGENCE SERVICE OR A FEATURE OF A SOCIAL MEDIA
24 PLATFORM, AS DEFINED IN SECTION 6-1-1601 (4)(a).

25 (10.3) "MINOR" MEANS A CONSUMER UNDER EIGHTEEN YEARS OLD.

26 (10.5) (a) "OPERATOR" MEANS A PERSON, PARTNERSHIP,
27 CORPORATION, OR ENTITY THAT:

1 (I) DEVELOPS AND MAKES PUBLICLY AVAILABLE A
2 CONVERSATIONAL ARTIFICIAL INTELLIGENCE SERVICE; OR

3 (II) OFFERS A CONVERSATIONAL ARTIFICIAL INTELLIGENCE
4 SERVICE TO A CONSUMER.

5 (b) "OPERATOR" DOES NOT INCLUDE A MOBILE APPLICATION STORE
6 OR SEARCH ENGINE SOLELY BECAUSE THE STORE OR SEARCH ENGINE
7 PROVIDES ACCESS TO A CONVERSATIONAL ARTIFICIAL INTELLIGENCE
8 SERVICE.

9 (10.7) "SELF-HARM" MEANS INTENTIONAL SELF-INJURY, WITH OR
10 WITHOUT THE INTENT TO CAUSE DEATH.

11 (10.9) (a) "SEXUALLY EXPLICIT CONDUCT" HAS THE MEANING SET
12 FORTH IN 18 U.S.C. SEC. 2256 (2).

13 (b) "SEXUALLY EXPLICIT CONDUCT" DOES NOT INCLUDE
14 EVIDENCE-BASED MEDICAL INFORMATION OR FACTUAL DESCRIPTIONS OF
15 REPRODUCTIVE HEALTH CARE.

16 (13) "VISUAL DEPICTION" HAS THE MEANING SET FORTH IN 18
17 U.S.C. SEC. 2256 (5).

18 **SECTION 2.** In Colorado Revised Statutes, **add** 6-1-1708 as
19 follows:

20 **6-1-1708. Conversational artificial intelligence services -**
21 **operator duties - minor account holders - minor users - disclosures**
22 **- annual reporting - definitions.**

23 (1) **Definitions.** AS USED IN THIS SECTION, UNLESS THE CONTEXT
24 OTHERWISE REQUIRES:

25 (a) "ACCOUNT HOLDER" MEANS A CONSUMER WHO HAS OR OPENS
26 AN ACCOUNT OR PROFILE FOR THE PURPOSE OF USING A CONVERSATIONAL
27 ARTIFICIAL INTELLIGENCE SERVICE.

1 (b) "MINOR ACCOUNT HOLDER" MEANS AN ACCOUNT HOLDER WHO
2 IS A MINOR.

3 (c) "MINOR USER" MEANS A USER OF A CONVERSATIONAL
4 ARTIFICIAL INTELLIGENCE SERVICE WHO AN OPERATOR HAS _____
5 KNOWLEDGE IS A MINOR BY USING COMMERCIALY REASONABLE METHODS
6 OR GENERALLY ACCEPTED METHODS TO ESTIMATE ____ THE AGE OR AGE
7 RANGE OF A USER.

8 (2) **Minor account holders and minor users.** AN OPERATOR
9 SHALL USE COMMERCIALY REASONABLE METHODS OR GENERALLY
10 ACCEPTED METHODS TO ESTIMATE ____ THE AGE OF ACCOUNT HOLDERS OR
11 USERS. AN OPERATOR SHALL NOT WILLFULLY DISREGARD CLEAR AND
12 CONVINCING INFORMATION THAT AN ACCOUNT HOLDER OR USER IS A
13 MINOR. FOR PURPOSES OF THIS SECTION, THE ESTIMATED AGE OR AGE
14 RANGE OF A MINOR ACCOUNT HOLDER OR USER IS CONSIDERED
15 KNOWLEDGE OF THE MINOR'S AGE. ON AND AFTER JANUARY 1, 2027, IF AN
16 OPERATOR KNOWS ____ THAT AN ACCOUNT HOLDER OR USER IS A MINOR,
17 THE OPERATOR SHALL:

18 (a) CLEARLY AND CONSPICUOUSLY DISCLOSE TO THE MINOR
19 ACCOUNT HOLDER OR MINOR USER THAT THE MINOR ACCOUNT HOLDER OR
20 MINOR USER IS INTERACTING WITH ARTIFICIAL INTELLIGENCE THAT IS
21 ARTIFICIALLY GENERATED AND NOT HUMAN. THE DISCLOSURE MUST BE
22 PROVIDED IN RESPONSE TO USER PROMPTS REGARDING WHETHER THE
23 CONVERSATIONAL ARTIFICIAL INTELLIGENCE SERVICE IS ARTIFICIALLY
24 GENERATED AND NOT HUMAN AND MUST BE:

25 (I) A PERSISTENT VISIBLE DISCLAIMER FOR A PRODUCT WITH A
26 SCREEN INTERFACE;

27 (II) AN INTERMITTENT AUDIO DISCLAIMER FOR A PRODUCT

1 WITHOUT A SCREEN INTERFACE; OR

2 (III) PROVIDED AT THE BEGINNING OF EACH INTERACTION WITH A

3 CONVERSATIONAL ARTIFICIAL INTELLIGENCE SERVICE AND MUST OCCUR

4 AT LEAST ONCE EVERY THREE HOURS IN A CONTINUOUS CONVERSATIONAL

5 ARTIFICIAL INTELLIGENCE SERVICE INTERACTION; ■

6 ■

7 (b) NOT PROVIDE THE MINOR ACCOUNT HOLDER OR MINOR USER

8 WITH POINTS OR SIMILAR REWARDS AT UNPREDICTABLE INTERVALS WITH

9 THE INTENT TO ENCOURAGE INCREASED ENGAGEMENT WITH A

10 CONVERSATIONAL ARTIFICIAL INTELLIGENCE SERVICE;

11 (c) INSTITUTE TECHNICALLY FEASIBLE MEASURES TO PREVENT A

12 CONVERSATIONAL ARTIFICIAL INTELLIGENCE SERVICE FROM:

13 (I) PRODUCING TEXTUAL, VISUAL, OR AURAL DEPICTIONS OF

14 SEXUALLY EXPLICIT CONDUCT;

15 (II) GENERATING A STATEMENT THAT THE MINOR ACCOUNT

16 HOLDER OR MINOR USER SHOULD ENGAGE IN SEXUALLY EXPLICIT

17 CONDUCT; OR

18 (III) ENGAGING IN EROTIC OR SEXUALLY EXPLICIT INTERACTIONS

19 WITH THE MINOR ACCOUNT HOLDER OR MINOR USER;

20 (d) INSTITUTE REASONABLE MEASURES TO PREVENT A

21 CONVERSATIONAL ARTIFICIAL INTELLIGENCE SERVICE FROM

22 FORMULATING, STRUCTURING, OR OPTIMIZING A RESPONSE THAT

23 SIMULATES EMOTIONAL DEPENDENCE OR ISOLATION FROM REAL-WORLD

24 SUPPORTS, INCLUDING PREVENTING:

25 (I) AN EXPLICIT CLAIM THAT THE CONVERSATIONAL ARTIFICIAL

26 INTELLIGENCE SERVICE IS HUMAN OR ARTIFICIALLY SENTIENT;

27 (II) A STATEMENT THAT SIMULATES A ROMANTIC COMPANIONSHIP;

1 OR

2 (III) ROLE-PLAYING OF AN ADULT-MINOR ROMANTIC
3 RELATIONSHIP;

4 (e) COMPLY WITH PART 13 OF THIS ARTICLE 1 REGARDING
5 PROTECTING THE PRIVACY AND DATA OF A MINOR; AND

6 (f) (I) OFFER TOOLS FOR THE MINOR ACCOUNT HOLDER OR MINOR
7 USER TO MANAGE THE MINOR ACCOUNT HOLDER'S OR MINOR USER'S
8 PRIVACY AND ACCOUNT SETTINGS, INCLUDING THE ABILITY TO CONTROL
9 WHETHER THE CONVERSATIONAL ARTIFICIAL INTELLIGENCE SERVICE
10 RETAINS INFORMATION FROM PRIOR INTERACTIONS OR SESSIONS WITH THE
11 CONVERSATIONAL ARTIFICIAL INTELLIGENCE SERVICE FOR THE PURPOSE
12 OF PERSONALIZING THE CONTENT OF FUTURE INTERACTIONS AND WHETHER
13 THE MINOR ACCOUNT HOLDER'S OR MINOR USER'S PERSONAL DATA IS USED
14 FOR THE PURPOSES OF TRAINING THE CONVERSATIONAL ARTIFICIAL
15 INTELLIGENCE SERVICE; AND

16 (II) OFFER TOOLS FOR A PARENT OR GUARDIAN OF THE MINOR
17 ACCOUNT HOLDER OR MINOR USER TO MANAGE THE MINOR ACCOUNT
18 HOLDER'S OR MINOR USER'S PRIVACY AND ACCOUNT SETTINGS.

19 **(3) Consumer disclosures.** ON AND AFTER JANUARY 1, 2027,
20 AN OPERATOR SHALL CLEARLY AND CONSPICUOUSLY DISCLOSE TO A USER
21 THAT A CONVERSATIONAL ARTIFICIAL INTELLIGENCE SERVICE IS
22 ARTIFICIAL INTELLIGENCE. THE DISCLOSURE MUST:

23 (a) BE PROVIDED AT THE BEGINNING OF A USER'S FIRST
24 INTERACTION WITH A CONVERSATIONAL ARTIFICIAL INTELLIGENCE
25 SERVICE FOR EACH DAY OF INTERACTION;

26 (b) APPEAR AT LEAST ONCE EVERY THREE HOURS IN A CONTINUOUS
27 CONVERSATIONAL ARTIFICIAL INTELLIGENCE SERVICE INTERACTION OR

1 APPEAR AS A PERSISTENT DISCLOSURE VISIBLE TO THE USER; AND

2 (c) BE PROVIDED IN RESPONSE TO USER PROMPTS REGARDING
3 WHETHER THE CONVERSATIONAL ARTIFICIAL INTELLIGENCE SERVICE IS
4 ARTIFICIALLY GENERATED AND NOT HUMAN.

5 (4) **Suicide and self-harm protocol.** ON AND AFTER JANUARY 1,
6 2027, AN OPERATOR SHALL IMPLEMENT A PROTOCOL FOR A
7 CONVERSATIONAL ARTIFICIAL INTELLIGENCE SERVICE TO RESPOND TO A
8 USER PROMPT REGARDING SUICIDAL IDEATION OR SELF-HARM, WHICH
9 PROTOCOL MUST INCLUDE USER REFERRAL TO A CRISIS SERVICE PROVIDER
10 SUCH AS A SUICIDE HOTLINE, A CRISIS TEXT LINE, OR ANOTHER
11 APPROPRIATE CRISIS SERVICE, BUT NOT INCLUDING A LAW ENFORCEMENT
12 AGENCY, AND ESCALATION PROCEDURES FOR REPEATED OR SEVERE CRISIS
13 INDICATORS.

14 (5) **False representation.** ON AND AFTER JANUARY 1, 2027, AN
15 OPERATOR SHALL NOT KNOWINGLY OR RECKLESSLY USE ANY TERM,
16 LETTER, OR PHRASE IN THE ADVERTISING, INTERFACE, OR OUTPUTS OF A
17 CONVERSATIONAL ARTIFICIAL INTELLIGENCE SERVICE THAT STATES THAT
18 ANY OUTPUT DATA PROVIDED BY THE CONVERSATIONAL ARTIFICIAL
19 INTELLIGENCE SERVICE IS BEING PROVIDED BY, ENDORSED BY, OR
20 EQUIVALENT TO SERVICES PROVIDED BY:

21 (a) A LICENSED HEALTH-CARE PROFESSIONAL;

22 (b) A LICENSED LEGAL PROFESSIONAL;

23 (c) A LICENSED, CERTIFIED, OR REGISTERED MENTAL HEALTH
24 PROFESSIONAL; OR

25 (d) A QUALIFIED DIETITIAN, AS DESCRIBED IN SECTION 6-1-707

26 (1)(b).

27 (6) **Annual reporting.**

1 (a) ON AND AFTER JULY 1, 2027, AN OPERATOR SHALL ANNUALLY
2 REPORT TO THE ATTORNEY GENERAL'S OFFICE:

3 (I) THE NUMBER OF TIMES THE OPERATOR HAS ISSUED A CRISIS
4 SERVICE PROVIDER REFERRAL NOTIFICATION IN THE PRECEDING CALENDAR
5 YEAR;

6 (II) ANY PROTOCOLS THE OPERATOR IMPLEMENTED TO DETECT,
7 REMOVE, AND RESPOND TO INSTANCES OF SUICIDAL IDEATION OR
8 SELF-HARM BY A USER OF A CONVERSATIONAL ARTIFICIAL INTELLIGENCE
9 SERVICE; ■

10 (III) ANY PROTOCOLS THE OPERATOR IMPLEMENTED TO PREVENT
11 A CONVERSATIONAL ARTIFICIAL INTELLIGENCE SERVICE RESPONSE ABOUT
12 SUICIDAL IDEATION OR SELF-HARM ACTIONS; AND

13 (IV) ANY ADDITIONAL METRICS NECESSARY TO DETERMINE THE
14 EFFICACY AND RELIABILITY OF IMPLEMENTED SAFEGUARDS OR DETECTION,
15 REMOVAL, AND RESPONSE PROTOCOLS, AS DETERMINED BY THE ATTORNEY
16 GENERAL.

17 (b) THE REPORT REQUIRED BY SUBSECTION (6)(a) OF THIS SECTION
18 MUST NOT INCLUDE ANY IDENTIFIERS OR PERSONAL INFORMATION ABOUT
19 A USER OF A CONVERSATIONAL ARTIFICIAL INTELLIGENCE SERVICE.

20 (c) THE ATTORNEY GENERAL'S OFFICE SHALL POST ON ITS PUBLIC
21 WEBSITE DATA FROM REPORTS SUBMITTED PURSUANT TO SUBSECTION
22 (6)(a) OF THIS SECTION.

23 (d) FOR THE PURPOSE OF CREATING A REPORT AS REQUIRED BY
24 SUBSECTION (6)(a) OF THIS SECTION, AN OPERATOR SHALL USE
25 EVIDENCE-BASED METHODS FOR MEASURING SUICIDAL IDEATION OR
26 SELF-HARM.

27 (7) **Access to information - content moderation.** NOTHING IN

1 THIS SECTION:

2 (a) LIMITS AN INDIVIDUAL'S ABILITY TO ACCESS INFORMATION AND
3 RESOURCES UNDER SECTION 32 OF ARTICLE II OF THE STATE CONSTITUTION
4 AND PART 4 OF ARTICLE 6 OF TITLE 25;

5 (b) REQUIRES AN OPERATOR TO DISCLOSE TRADE SECRETS,
6 CONFIDENTIAL OR PROPRIETARY INFORMATION, OR OTHER INFORMATION
7 PROTECTED FROM DISCLOSURE BY STATE OR FEDERAL LAW; OR

8 (c) AUTHORIZES CONTENT MODERATION PRACTICES INCONSISTENT
9 WITH THE UNITED STATES CONSTITUTION.

10 SECTION 3. In Colorado Revised Statutes, 6-1-1706, **add** (7) as
11 follows:

12 **6-1-1706. Enforcement by attorney general.**

13 (7) (a) NOTWITHSTANDING SECTION 6-1-112, A PERSON THAT
14 VIOLATES SECTION 6-1-1708 IS SUBJECT TO A CIVIL PENALTY OF FIVE
15 THOUSAND DOLLARS PER VIOLATION.

16 (b) EACH OUTPUT OF A CONVERSATIONAL ARTIFICIAL
17 INTELLIGENCE SERVICE THAT IS IN VIOLATION OF SECTION 6-1-1708
18 CONSTITUTES A SEPARATE VIOLATION FOR THE PURPOSES OF THIS
19 SUBSECTION (7).

20 SECTION 4. **Act subject to petition - effective date.** This act
21 takes effect at 12:01 a.m. on the day following the expiration of the
22 ninety-day period after final adjournment of the general assembly (August
23 12, 2026, if adjournment sine die is on May 13, 2026); except that, if a
24 referendum petition is filed pursuant to section 1 (3) of article V of the
25 state constitution against this act or an item, section, or part of this act
26 within such period, then the act, item, section, or part will not take effect
27 unless approved by the people at the general election to be held in

- 1 November 2026 and, in such case, will take effect on the date of the
- 2 official declaration of the vote thereon by the governor.