

By Senator Burton

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A bill to be entitled

An act relating to companion artificial intelligence chatbots; creating s. 501.1739, F.S.; defining terms; requiring operators to require an individual seeking access to a companion AI chatbot to create a user account; requiring operators to meet specified requirements for existing and newly created companion AI chatbot user accounts; requiring operators to take certain actions if the age verification process determines that a user is a minor; requiring operators to protect the confidentiality of age verification information provided by a user; requiring operators to provide certain notifications to a user which indicate that the user is interacting with a companion AI chatbot; providing that violations of the act are deemed deceptive and unfair trade practices; authorizing the Department of Legal Affairs to bring an action against an operator upon a certain finding; providing applicability; authorizing the department to collect a civil penalty, reasonable attorney fees, and court costs; providing that age verification performed for an operator in violation of this section is an unfair and deceptive trade practice; providing construction; providing that certain operators are subject to the jurisdiction of state courts; authorizing the department to take certain investigative and compliance actions; providing a civil penalty for any entity or person who fails to comply with certain provisions and investigations;

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authorizing the department to adopt rules; providing  
an effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Section 501.1739, Florida Statutes, is created  
to read:

501.1739 Companion artificial intelligence chatbots; system  
operators regulated.—

(1) As used in this section, the term:

(a) "Anonymous age verification" has the same meaning as in  
s. 501.1738.

(b) "Companion AI chatbot" means any software-based  
artificial intelligence system or program that exists for the  
primary purpose of simulating interpersonal or emotional  
interaction, friendship, companionship, or therapeutic  
communication with a user.

(c) "Department" means the Department of Legal Affairs.

(d) "Minor" means any individual who is under 18 years of  
age.

(e) "Operator" means any person who owns, operates, or  
otherwise makes available a companion AI chatbot to individuals  
in this state.

(f) "Pop-up" means a visible notification on the screen of  
a user which may be resolved if the user interacts with or  
responds to the notification.

(g) "Sexually explicit communication" means any content,  
conversation, or material that describes, depicts, or encourages  
sexually explicit conduct, sexual excitement, or sexual

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activity.

(h) "Standard age verification" means any commercially reasonable method of age verification approved by the operator.

(2) An operator shall require an individual seeking access to a companion AI chatbot to create a user account to use or otherwise interact with the chatbot.

(3) With respect to companion AI chatbot user accounts in existence before July 1, 2026, an operator shall:

(a) On such date, freeze or otherwise disable any such account;

(b) Require the user of the frozen or disabled account to provide age information and verify that information using standard age verification or anonymous age verification before the functionality of such account may be restored; and

(c) Using standard age verification or anonymous age verification, classify each user as either a minor or an adult.

(4) Upon the creation of a new companion AI chatbot user account, an operator shall:

(a) Request age information from the user; and

(b) Verify the user's age using standard age verification or anonymous age verification.

(5) If the age verification process determines that a user is a minor, an operator must do all of the following:

(a) Require the account of such user to be affiliated with a parental account that has been verified using standard age verification or anonymous age verification;

(b) Obtain verifiable parental consent from the holder of the affiliate parental account before allowing the minor to access and use the companion AI chatbot; and

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88       (c) Block the minor's access to any companion AI chatbot  
89 that prompts, promotes, solicits, or otherwise suggests sexually  
90 explicit communication.

91       (6) An operator shall protect the confidentiality of age  
92 information provided by a user for age verification in  
93 accordance with s. 501.1738.

94       (7) At the beginning of any interaction between a user and  
95 a companion AI chatbot, and no less frequently than every 60  
96 minutes thereafter during such interaction, an operator shall  
97 display a pop-up that notifies users that they are not engaging  
98 in dialogue with a human counterpart.

99       (8)(a) A violation of this section is deemed an unfair and  
100 deceptive trade practice actionable under part II of this  
101 chapter solely by the department on behalf of a user of a  
102 companion AI chatbot. If the department has reason to believe  
103 that an operator is in violation of this section, the department  
104 may, as the enforcing authority, bring an action against the  
105 operator for an unfair or deceptive act or practice. For the  
106 purpose of bringing an action pursuant to this section, ss.  
107 501.211 and 501.212 do not apply. In addition to any other  
108 remedy under part II of this chapter, the department may collect  
109 a civil penalty of up to \$50,000 per violation and reasonable  
110 attorney fees and court costs.

111       (b) A third party that performs age verification for an  
112 operator in violation of this section is deemed to have  
113 committed an unfair and deceptive trade practice actionable  
114 under part II of this chapter by the department solely against  
115 such third party. For the purpose of bringing an action pursuant  
116 to this section, ss. 501.211 and 501.212 do not apply.

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117       (9) This section does not preclude any other available  
118 remedy at law or equity.

119       (10) For purposes of bringing an action pursuant to this  
120 section, any entity or person who meets the definition of an  
121 operator that owns, operates, or otherwise makes available a  
122 companion AI chatbot to individuals in this state is considered  
123 both to be engaged in substantial and not isolated activities  
124 within this state and to be operating, conducting, engaging in,  
125 or carrying on a business, and doing business in this state, and  
126 is therefore subject to the jurisdiction of the courts of this  
127 state.

128       (11) (a) If, by its own inquiry or as a result of  
129 complaints, the department has reason to believe that an entity  
130 or a person has engaged in, or is engaging in, an act or  
131 practice that violates this section, the department may  
132 administer oaths and affirmations, subpoena witnesses or matter,  
133 and collect evidence. Within 5 days, excluding weekends and  
134 legal holidays, after the service of a subpoena or at any time  
135 before the return date specified therein, whichever is longer,  
136 the party served may file in the circuit court in the county in  
137 which it resides or in which it transacts business and serve  
138 upon the enforcing authority a petition for an order modifying  
139 or setting aside the subpoena. The petitioner may raise any  
140 objection or privilege which would be available upon service of  
141 such subpoena in a civil action. The subpoena must inform the  
142 party served of its rights under this subsection.

143       (b) If the matter that the department seeks to obtain by  
144 subpoena is located outside this state, the entity or person  
145 subpoenaed may make it available to the department or its

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146 representative to examine the matter at the place where the  
147 party is located. The department may designate representatives,  
148 including officials of the state where the matter is located, to  
149 inspect the matter on its behalf and may respond to similar  
150 requests from officials of other states.

151 (c) Upon failure of an entity or a person without lawful  
152 excuse to obey a subpoena and upon reasonable notice to all  
153 persons affected, the department may apply to the circuit court  
154 for an order compelling compliance.

155 (d) The department may request that an entity or a person  
156 who refuses to comply with a subpoena on the ground that  
157 testimony or matter may incriminate the entity or person be  
158 ordered by the court to provide the testimony or matter. Except  
159 in a prosecution for perjury, an entity or person who complies  
160 with a court order to provide testimony or matter after  
161 asserting a valid privilege against self-incrimination may not  
162 have the testimony or matter so provided, or evidence derived  
163 therefrom, received against the entity or person in any criminal  
164 investigation or proceeding.

165 (e) An entity or a person upon whom a subpoena is served  
166 pursuant to this section shall comply with the terms thereof  
167 unless otherwise provided by order of the court. Any entity or  
168 person who fails to appear with the intent to avoid, evade, or  
169 prevent compliance in whole or in part with any investigation  
170 under this part or who removes from any place, conceals,  
171 withholds, mutilates, alters, or destroys, or by any other means  
172 falsifies any documentary material in the possession, custody,  
173 or control of any entity or person subject to any such subpoena,  
174 or knowingly conceals any relevant information with the intent

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175 to avoid, evade, or prevent compliance, is liable for a civil  
176 penalty of not more than \$5,000 per week in violation,  
177 reasonable attorney fees, and costs.

178 (12) The department may adopt rules to implement this  
179 section.

180 Section 2. This act shall take effect July 1, 2026.