

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**

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**HOUSE SPONSORSHIP**

**Camacho and Mabrey,**

**SENATE SPONSORSHIP**

**Carson and Jodeh,**

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**House Committees**  
Business Affairs & Labor

**Senate Committees**

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**A BILL FOR AN ACT**

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

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**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.*

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.

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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 (7.5), (9.5), (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 AND USES EMOTIONAL RECOGNITION

1 ALGORITHMS TO RECOGNIZE, INTERPRET, OR RESPOND TO HUMAN  
2 EMOTIONS.

3 (b) "CONVERSATIONAL ARTIFICIAL INTELLIGENCE SERVICE" DOES  
4 NOT INCLUDE A SOFTWARE APPLICATION, WEB INTERFACE, OR COMPUTER  
5 PROGRAM THAT DOES NOT UTILIZE EMOTIONAL RECOGNITION ALGORITHMS  
6 AND THAT:

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

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

13 (III) IS DESIGNED TO PROVIDE OUTPUTS RELATING TO A NARROW  
14 AND DISCRETE TOPIC;

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 VOICE-ACTIVATED VIRTUAL ASSISTANT FOR A CONSUMER ELECTRONIC  
21 DEVICE;

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

23 (VII) IS PRIMARILY DESIGNED FOR ASSISTING OR SUPPORTING  
24 PATIENT OR RESIDENT CARE SERVICES IN A FACILITY AND COMPLIES WITH  
25 HIPAA PRIVACY AND SECURITY REQUIREMENTS;

26 (VIII) 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; OR  
2 (IX) 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 (7.5) "EMOTIONAL RECOGNITION ALGORITHM" MEANS ARTIFICIAL  
8 INTELLIGENCE THAT DETECTS AND INTERPRETS HUMAN EMOTIONAL  
9 SIGNALS IN TEXT USING NATURAL LANGUAGE PROCESSING AND SENTIMENT  
10 ANALYSIS, GAIT ANALYSIS, OR PHYSIOLOGICAL SIGNALS, OR A  
11 COMBINATION OF THOSE DATA PROCESSING TOOLS.

12 (9.5) "HIPAA" MEANS THE FEDERAL "HEALTH INSURANCE  
13 PORTABILITY AND ACCOUNTABILITY ACT OF 1996", 42 U.S.C. SECS.  
14 1320d TO 1320d-9.

15 (10.3) "MINOR" MEANS A CONSUMER UNDER EIGHTEEN YEARS OLD.

16 (10.5) (a) "OPERATOR" MEANS A PERSON THAT DEVELOPS AND  
17 MAKES PUBLICLY AVAILABLE A CONVERSATIONAL ARTIFICIAL  
18 INTELLIGENCE SERVICE.

19 (b) "OPERATOR" DOES NOT INCLUDE A MOBILE APPLICATION STORE  
20 OR SEARCH ENGINE SOLELY BECAUSE THE STORE OR SEARCH ENGINE  
21 PROVIDES ACCESS TO A CONVERSATIONAL ARTIFICIAL INTELLIGENCE  
22 SERVICE.

23 (10.7) "SELF-HARM" MEANS INTENTIONAL SELF-INJURY, WITH OR  
24 WITHOUT THE INTENT TO CAUSE DEATH.

25 (10.9) "SEXUALLY EXPLICIT CONDUCT" HAS THE MEANING SET  
26 FORTH IN 18 U.S.C. SEC. 2256 (2).

27 (13) "VISUAL DEPICTION" HAS THE MEANING SET FORTH IN 18

1 U.S.C. SEC. 2256 (5).

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

4 **6-1-1708. Conversational artificial intelligence services -**  
5 **operator duties - minor account holders - disclosures - annual**  
6 **reporting - definitions.**

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

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

12 (b) "MINOR ACCOUNT HOLDER" MEANS AN ACCOUNT HOLDER WHO  
13 IS A MINOR.

14 (2) **Minor account holders.** AN OPERATOR SHALL USE  
15 COMMERCIALY REASONABLE METHODS TO ESTIMATE THE AGE OF  
16 ACCOUNT HOLDERS. ON AND AFTER JANUARY 1, 2027, IF AN OPERATOR  
17 KNOWS OR HAS REASONABLE CERTAINTY THAT AN ACCOUNT HOLDER IS A  
18 MINOR, THE OPERATOR SHALL:

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

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

1 (II) AN INTERMITTENT AUDIO DISCLAIMER FOR A PRODUCT  
2 WITHOUT A SCREEN INTERFACE; OR

3 (III) PROVIDED AT THE BEGINNING OF EACH INTERACTION WITH A  
4 CONVERSATIONAL ARTIFICIAL INTELLIGENCE SERVICE AND MUST OCCUR  
5 AT LEAST ONCE EVERY THREE HOURS IN A CONTINUOUS CONVERSATIONAL  
6 ARTIFICIAL INTELLIGENCE SERVICE INTERACTION; ■

7 ■  
8 (b) NOT PROVIDE THE MINOR ACCOUNT HOLDER WITH POINTS OR  
9 SIMILAR REWARDS AT UNPREDICTABLE INTERVALS WITH THE INTENT TO  
10 ENCOURAGE INCREASED ENGAGEMENT WITH A CONVERSATIONAL  
11 ARTIFICIAL INTELLIGENCE SERVICE;

12 (c) INSTITUTE REASONABLE MEASURES TO PREVENT A  
13 CONVERSATIONAL ARTIFICIAL INTELLIGENCE SERVICE FROM:

14 (I) PRODUCING TEXTUAL, VISUAL, OR AURAL DEPICTIONS OF  
15 SEXUALLY EXPLICIT CONDUCT;

16 (II) GENERATING A STATEMENT THAT THE MINOR ACCOUNT  
17 HOLDER SHOULD ENGAGE IN SEXUALLY EXPLICIT CONDUCT; OR

18 (III) ENGAGING IN EROTIC OR SEXUALLY EXPLICIT INTERACTIONS  
19 WITH THE MINOR ACCOUNT HOLDER;

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 OR SEXUAL

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

15 (II) FOR A MINOR ACCOUNT HOLDER WHO IS UNDER THIRTEEN  
16 YEARS OLD, OFFER TOOLS FOR A PARENT OR GUARDIAN OF THE MINOR  
17 ACCOUNT HOLDER TO MANAGE THE MINOR ACCOUNT HOLDER'S PRIVACY  
18 AND ACCOUNT SETTINGS; AND

19 (III) FOR A MINOR ACCOUNT HOLDER WHO IS THIRTEEN YEARS OLD  
20 OR OLDER, OFFER TOOLS FOR A PARENT OR GUARDIAN OF THE MINOR  
21 ACCOUNT HOLDER TO MANAGE THE MINOR ACCOUNT HOLDER'S PRIVACY  
22 AND ACCOUNT SETTINGS.

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

27 (a) BE PROVIDED AT THE BEGINNING OF A USER'S FIRST

1 INTERACTION WITH A CONVERSATIONAL ARTIFICIAL INTELLIGENCE  
2 SERVICE FOR EACH DAY OF INTERACTION;

3 (b) APPEAR AT LEAST ONCE EVERY THREE HOURS IN A CONTINUOUS  
4 CONVERSATIONAL ARTIFICIAL INTELLIGENCE SERVICE INTERACTION; AND

5 (c) BE PROVIDED IN RESPONSE TO USER PROMPTS REGARDING  
6 WHETHER THE CONVERSATIONAL ARTIFICIAL INTELLIGENCE SERVICE IS  
7 HUMAN OR ARTIFICIALLY SENTIENT.

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

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

23 (a) A LICENSED HEALTH-CARE PROFESSIONAL;

24 (b) A LICENSED LEGAL PROFESSIONAL; OR

25 (c) A LICENSED, CERTIFIED, OR REGISTERED MENTAL HEALTH  
26 PROFESSIONAL.

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) **Liability.** NOTHING IN THIS SECTION CREATES LIABILITY FOR

1 A DEVELOPER OF AN UNDERLYING ARTIFICIAL INTELLIGENCE MODEL FOR  
2 A VIOLATION OF THIS SECTION BY A THIRD-PARTY OPERATOR THAT MAKES  
3 PUBLICLY AVAILABLE A CONVERSATIONAL ARTIFICIAL INTELLIGENCE  
4 SERVICE THAT USES THE UNDERLYING ARTIFICIAL INTELLIGENCE MODEL.  
5 A DEVELOPER OF AN UNDERLYING ARTIFICIAL INTELLIGENCE MODEL THAT  
6 IS ALSO AN OPERATOR OF A CONVERSATIONAL ARTIFICIAL INTELLIGENCE  
7 SERVICE IS SUBJECT TO LIABILITY FOR A VIOLATION OF THIS SECTION.

8 (8) **Access to information.** NOTHING IN THIS SECTION LIMITS AN  
9 INDIVIDUAL'S ABILITY TO ACCESS INFORMATION AND RESOURCES UNDER  
10 SECTION 32 OF ARTICLE II OF THE STATE CONSTITUTION AND PART 4 OF  
11 ARTICLE 6 OF TITLE 25.

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

14 **6-1-1706. Enforcement by attorney general.**

15 (7) NOTWITHSTANDING SECTION 6-1-112, A PERSON THAT  
16 VIOLATES SECTION 6-1-1708 IS SUBJECT TO A CIVIL PENALTY OF ONE  
17 THOUSAND DOLLARS PER VIOLATION.

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