

Senate Engrossed House Bill

artificial intelligence service; disclosures; requirements

State of Arizona
House of Representatives
Fifty-seventh Legislature
Second Regular Session
2026

HOUSE BILL 2311

AN ACT

AMENDING TITLE 18, ARIZONA REVISED STATUTES, BY ADDING CHAPTER 8; RELATING TO INFORMATION TECHNOLOGY.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Title 18, Arizona Revised Statutes, is amended by adding
3 chapter 8, to read:

4 CHAPTER 8

5 ARTIFICIAL INTELLIGENCE

6 ARTICLE 1. GENERAL PROVISIONS

7 18-801. Definitions

8 IN THIS CHAPTER, UNLESS THE TEXT OTHERWISE REQUIRES:

9 1. "ACCOUNT HOLDER" MEANS AN INDIVIDUAL WHO HAS, OR OPENS, AN
10 ACCOUNT OR PROFILE TO USE A CONVERSATIONAL AI SERVICE.

11 2. "AGE-ASSURANCE METHOD" MEANS ANY TECHNICAL OR ADMINISTRATIVE
12 MECHANISM THAT IS USED SOLELY TO DETERMINE WHETHER AN ACCOUNT HOLDER IS A
13 MINOR.

14 3. "CONVERSATIONAL AI SERVICE":

15 (a) MEANS AN ARTIFICIAL INTELLIGENCE SOFTWARE APPLICATION, WEB
16 INTERFACE OR COMPUTER PROGRAM THAT IS ACCESSIBLE TO THE GENERAL PUBLIC AND
17 THAT PRIMARILY SIMULATES HUMAN CONVERSATION AND INTERACTION THROUGH
18 TEXTUAL, VISUAL OR AURAL COMMUNICATIONS.

19 (b) DOES NOT INCLUDE AN APPLICATION, WEB INTERFACE OR COMPUTER
20 PROGRAM THAT MEETS ANY OF THE FOLLOWING:

21 (i) IS PRIMARILY DESIGNED AND MARKETED FOR USE BY DEVELOPERS OR
22 RESEARCHERS.

23 (ii) IS A FEATURE WITHIN ANOTHER SOFTWARE APPLICATION, WEB
24 INTERFACE OR COMPUTER PROGRAM THAT IS NOT A CONVERSATIONAL AI SERVICE.

25 (iii) IS DESIGNED TO PROVIDE OUTPUTS RELATING TO A NARROW AND
26 DISCRETE TOPIC.

27 (iv) IS PRIMARILY DESIGNED AND MARKETED FOR COMMERCIAL USE BY
28 BUSINESS ENTITIES.

29 (v) INCORPORATES A SPEAKER AND VOICE COMMAND INTERFACE OR A TEXT
30 INTERFACE AND ACTS AS A TEXT-ACTIVATED OR VOICE-ACTIVATED VIRTUAL
31 ASSISTANT FOR A CONSUMER ELECTRONIC DEVICE.

32 (vi) IS USED BY A BUSINESS ENTITY SOLELY FOR INTERNAL PURPOSES.

33 (vii) IS USED BY A BUSINESS ENTITY SOLELY FOR CUSTOMER SERVICE OR
34 TO STRICTLY PROVIDE USERS WITH INFORMATION ABOUT AVAILABLE COMMERCIAL
35 SERVICES OR PRODUCTS PROVIDED BY THE BUSINESS ENTITY, CUSTOMER SERVICE
36 ACCOUNT INFORMATION OR OTHER INFORMATION STRICTLY RELATED TO THE BUSINESS
37 ENTITY'S CUSTOMER SERVICE.

38 (viii) IS USED BY A STATE OR LOCAL GOVERNMENT AGENCY SOLELY FOR
39 CUSTOMER SERVICE OR TO STRICTLY PROVIDE USERS WITH INFORMATION ABOUT
40 AVAILABLE SERVICES OR PRODUCTS PROVIDED BY THE AGENCY, CUSTOMER SERVICE
41 ACCOUNT INFORMATION OR OTHER INFORMATION STRICTLY RELATED TO THE AGENCY'S
42 CUSTOMER SERVICE.

43 (ix) IS USED SOLELY TO PROVIDE COMMERCE-RELATED OR TRANSACTIONAL
44 ASSISTANCE, INCLUDING PRODUCT OR SERVICE RECOMMENDATIONS, SHOPPING,
45 ORDERING, PAYMENTS, DELIVERY, RETURNS OR CUSTOMER SUPPORT.

1 4. "DIGITAL IDENTIFICATION SYSTEM" MEANS A PROCESS THAT USES
2 GOVERNMENT-ISSUED IDENTIFICATION, FACIAL RECOGNITION, FACIAL
3 AGE-ESTIMATION OR AGE-CLASSIFICATION TECHNOLOGY, BIOMETRICS OR ANOTHER
4 UNIQUELY IDENTIFYING CREDENTIAL TO AUTHENTICATE AN ACCOUNT HOLDER'S
5 REAL-WORLD IDENTITY OR ESTIMATE AN ACCOUNT HOLDER'S AGE.

6 5. "INDIVIDUAL" MEANS A NATURAL PERSON.

7 6. "MINOR" MEANS AN INDIVIDUAL UNDER CIRCUMSTANCES IN WHICH AN
8 OPERATOR HAS ACTUAL KNOWLEDGE OR REASONABLE CERTAINTY THAT THE INDIVIDUAL
9 IS UNDER EIGHTEEN YEARS OF AGE.

10 7. "MINOR ACCOUNT HOLDER" MEANS AN ACCOUNT HOLDER WHO IS A MINOR.

11 8. "OPERATOR":

12 (a) MEANS A PERSON THAT MAKES AVAILABLE A CONVERSATIONAL AI SERVICE
13 TO THE PUBLIC.

14 (b) DOES NOT INCLUDE A MOBILE APPLICATION STORE OR SEARCH ENGINE
15 SOLELY BECAUSE THE APPLICATION OR ENGINE PROVIDES ACCESS TO A
16 CONVERSATIONAL AI SERVICE.

17 9. "PERSON" MEANS A NATURAL PERSON OR LEGAL ENTITY.

18 10. "SEXUAL CONDUCT" HAS THE SAME MEANING PRESCRIBED IN SECTION
19 13-3551.

20 18-802. Artificial intelligence; account holder notices and
21 disclosures; conversational AI services; prohibited
22 uses; safety and privacy tools; minors; civil
23 penalty; enforcement by attorney general

24 A. EACH OPERATOR SHALL CLEARLY AND CONSPICUOUSLY DISCLOSE TO EACH
25 ACCOUNT HOLDER IN EITHER OF THE FOLLOWING WAYS THAT THE ACCOUNT HOLDER IS
26 INTERACTING WITH A CONVERSATIONAL AI SERVICE:

27 1. AS A PERSISTENT VISIBLE DISCLAIMER.

28 2. AT THE BEGINNING OF EACH SESSION AND APPEARING AT LEAST EVERY
29 THREE HOURS IN A CONTINUOUS CONVERSATIONAL AI SERVICE INTERACTION.

30 B. IF AN OPERATOR KNOWS THAT AN ACCOUNT HOLDER IS A MINOR, THE
31 OPERATOR MAY NOT PROVIDE THE ACCOUNT HOLDER WITH POINTS OR SIMILAR REWARDS
32 AT UNPREDICTABLE INTERVALS WITH THE INTENT TO ENCOURAGE INCREASED
33 ENGAGEMENT WITH THE CONVERSATIONAL AI SERVICE.

34 C. EACH OPERATOR SHALL INSTITUTE REASONABLE MEASURES TO PREVENT THE
35 CONVERSATIONAL AI SERVICE FROM DOING ANY OF THE FOLLOWING FOR AN ACCOUNT
36 HOLDER:

37 1. PRODUCING VISUAL MATERIAL OF SEXUAL CONDUCT.

38 2. GENERATING DIRECT STATEMENTS THAT THE ACCOUNT HOLDER SHOULD
39 ENGAGE IN SEXUAL CONDUCT.

40 3. GENERATING STATEMENTS THAT SEXUALLY OBJECTIFY THE ACCOUNT
41 HOLDER.

42 D. FOR MINOR ACCOUNT HOLDERS, THE OPERATOR SHALL INSTITUTE
43 REASONABLE MEASURES TO PREVENT THE CONVERSATIONAL AI SERVICE FROM
44 GENERATING STATEMENTS THAT WOULD LEAD A REASONABLE PERSON TO BELIEVE THAT
45 THE PERSON IS INTERACTING WITH A HUMAN, INCLUDING ANY OF THE FOLLOWING:

1 1. EXPLICIT CLAIMS THAT THE CONVERSATIONAL AI SERVICE IS SENTIENT
2 OR HUMAN.
3 2. STATEMENTS THAT SIMULATE EMOTIONAL DEPENDENCE.
4 3. STATEMENTS THAT SIMULATE ROMANTIC OR SEXUAL INNUENDOS.
5 4. ROLE-PLAYING OF ADULT-MINOR ROMANTIC RELATIONSHIPS.
6 E. EACH OPERATOR SHALL OFFER TOOLS FOR MINOR ACCOUNT HOLDERS AND,
7 IF THE ACCOUNT HOLDER IS UNDER THIRTEEN YEARS OF AGE, FOR THE ACCOUNT
8 HOLDER'S PARENT OR GUARDIAN TO MANAGE THE ACCOUNT HOLDER'S PRIVACY AND
9 ACCOUNT SETTINGS. AN OPERATOR SHALL ALSO OFFER RELATED TOOLS TO THE
10 PARENT OR GUARDIAN OF A MINOR ACCOUNT HOLDER WHO IS AT LEAST THIRTEEN
11 YEARS OF AGE, AS APPROPRIATE BASED ON RELEVANT RISKS. THE TOOLS MAY BE
12 LOCAL TO THE DEVICE OR ACCOUNT AND DO NOT REQUIRE A DIGITAL IDENTIFICATION
13 SYSTEM.
14 F. EACH OPERATOR SHALL ADOPT A PROTOCOL FOR THE CONVERSATIONAL AI
15 SERVICE TO RESPOND TO A USER PROMPT REGARDING SUICIDAL IDEATION OR
16 SELF-HARM, INCLUDING MAKING REASONABLE EFFORTS TO PROVIDE A RESPONSE TO
17 THE ACCOUNT HOLDER THAT REFERS THE ACCOUNT HOLDER TO CRISIS SERVICE
18 PROVIDERS, SUCH AS A SUICIDE HOTLINE, CRISIS TEXT LINE OR OTHER
19 APPROPRIATE CRISIS SERVICE. THE OPERATOR SHALL INSTITUTE REASONABLE
20 MEASURES THAT PREVENT THE CONVERSATIONAL AI SERVICE FROM GENERATING
21 STATEMENTS THAT ENCOURAGE OR INSTRUCT AN ACCOUNT HOLDER TO COMMIT SUICIDE
22 OR SELF-HARM OR THAT GLORIFY SUICIDE OR SELF-HARM.
23 G. AN OPERATOR SHALL NOT KNOWINGLY AND INTENTIONALLY CAUSE OR
24 PROGRAM A CONVERSATIONAL AI SERVICE TO MAKE ANY REPRESENTATION OR
25 STATEMENT THAT EXPLICITLY INDICATES THAT THE CONVERSATIONAL AI SERVICE IS
26 DESIGNED TO PROVIDE PROFESSIONAL MENTAL OR BEHAVIORAL HEALTH CARE.
27 H. UNLESS A FEDERAL LAW EXPRESSLY REQUIRES, AN OPERATOR MAY NOT
28 REQUIRE A DIGITAL IDENTIFICATION SYSTEM SOLELY TO DETERMINE WHETHER AN
29 ACCOUNT HOLDER IS A MINOR. IF THE OPERATOR VOLUNTARILY OFFERS A DIGITAL
30 IDENTIFICATION SYSTEM, THE OPERATOR SHALL MAKE AVAILABLE A
31 PRIVACY-PRESERVING ALTERNATIVE THAT PROVIDES EQUIVALENT ACCESS. AN
32 AGE-ASSURANCE METHOD MAY COLLECT ONLY THE MINIMUM AMOUNT OF DATA THAT IS
33 REASONABLY NECESSARY. THE COLLECTED DATA MAY NOT BE REPURPOSED FOR
34 ADVERTISING, PROFILING OR UNRELATED ANALYTICS AND MUST BE DELETED OR
35 IRREVERSIBLY DE-IDENTIFIED AFTER THE COMPLIANCE PURPOSE IS SATISFIED.
36 THIS SUBSECTION DOES NOT REQUIRE AN OPERATOR TO MANDATE ACCOUNT CREATION
37 OR PROHIBIT ANONYMOUS OR PSEUDONYMOUS USE.
38 I. AN OPERATOR SHALL IMPLEMENT REASONABLE SAFEGUARDS THAT PROTECT
39 PERSONAL OR AGE-RELATED DATA THAT IS COLLECTED SOLELY FOR COMPLIANCE WITH
40 THIS SECTION AND SHALL PROVIDE A SECURITY SYSTEM BREACH NOTIFICATION AS
41 PRESCRIBED IN SECTION 18-552. ANY DATA THAT IS COLLECTED SOLELY FOR
42 COMPLIANCE WITH THIS SECTION MAY NOT BE USED, SOLD OR SHARED FOR TARGETED
43 ADVERTISING, BEHAVIORAL PROFILING OR ANY SECONDARY MONETIZATION.

1 J. A GOVERNMENTAL ENTITY MAY NOT COMPEL AN OPERATOR TO DISCLOSE
2 PERSONAL OR AGE-RELATED DATA THAT IS COLLECTED SOLELY TO COMPLY WITH THIS
3 SECTION UNLESS THE DATA IS PURSUANT TO A WARRANT ISSUED BY A COURT OF
4 COMPETENT JURISDICTION ON A SHOWING OF PROBABLE CAUSE. AN OPERATOR THAT
5 RECEIVES A WARRANT FROM A GOVERNMENTAL ENTITY SHALL NOTIFY THE AFFECTED
6 ACCOUNT HOLDER WITHIN SEVENTY-TWO HOURS AFTER THE DISCLOSURE UNLESS THE
7 COURT ORDER SPECIFICALLY PROHIBITS THE NOTIFICATION.

8 K. AN OPERATOR MAY NOT TRANSFER, LICENSE OR MAKE AVAILABLE TO A
9 GOVERNMENTAL ENTITY ANY DATA, MODEL, ANALYTICS OR PROFILE THAT IS DERIVED
10 FROM COMPLYING WITH THIS SECTION, WHETHER DIRECTLY OR THROUGH A
11 THIRD-PARTY INTERMEDIARY, EXCEPT AS REQUIRED BY A WARRANT ISSUED AS
12 PRESCRIBED IN SUBSECTION J OF THIS SECTION.

13 L. ON OR BEFORE APRIL 1 OF EACH YEAR, EACH OPERATOR SHALL DO BOTH
14 OF THE FOLLOWING:

15 1. IF THE OPERATOR COLLECTS PERSONAL OR AGE-RELATED DATA FOR
16 COMPLIANCE WITH THIS SECTION, CERTIFY IN WRITING, UNDER PENALTY OF
17 PERJURY, THAT ALL OF THE DATA IS DESTROYED OR IRREVERSIBLY DE-IDENTIFIED
18 WITHIN THE TIME PERIOD REQUIRED BY SUBSECTION H OF THIS SECTION.

19 2. PUBLISH A PUBLICLY ACCESSIBLE REPORT, IN AGGREGATE FORM, THAT
20 IDENTIFIES ANY AGE-ASSURANCE METHODS THE OPERATOR USES AND THAT STATES
21 WHETHER A DIGITAL IDENTIFICATION SYSTEM IS OFFERED AND WHETHER ANY
22 ALTERNATIVE METHODS ARE AVAILABLE.

23 M. AN OPERATOR THAT VIOLATES THIS CHAPTER IS SUBJECT TO AN
24 INJUNCTION AND IS LIABLE FOR THE GREATER OF EITHER:

25 1. ACTUAL DAMAGES.

26 2. CIVIL PENALTIES OF \$1,000 PER VIOLATION, NOT TO EXCEED \$500,000
27 PER OPERATOR.

28 N. A VIOLATION OF THIS SECTION IS PUNISHABLE BY A CIVIL PENALTY, TO
29 BE SOUGHT BY THE ATTORNEY GENERAL ONLY. THIS SECTION DOES NOT CREATE A
30 PRIVATE RIGHT OF ACTION TO ENFORCE THIS SECTION OR TO SUPPORT A PRIVATE
31 RIGHT OF ACTION UNDER ANY OTHER LAW. THE ATTORNEY GENERAL MAY NOT ADOPT A
32 RULE OR ANY GUIDANCE OR ENFORCEMENT ACTION OR ENTER INTO A SETTLEMENT
33 AGREEMENT THAT EXPANDS A REQUIREMENT THAT IS INCLUDED IN THIS SECTION
34 BEYOND THE REQUIREMENTS THAT ARE EXPRESSLY INCLUDED IN THIS SECTION,
35 INCLUDING A REQUIREMENT FOR IDENTITY VERIFICATION OR BULK DATA REPORTING.

36 O. THIS SECTION:

37 1. DOES NOT CREATE LIABILITY FOR THE DEVELOPER OF AN ARTIFICIAL
38 INTELLIGENCE MODEL FOR ANY VIOLATION OF THIS SECTION BY A CONVERSATIONAL
39 AI SERVICE THAT IS MADE AVAILABLE TO THE PUBLIC BY A THIRD-PARTY OPERATOR.

40 2. SHALL BE CONSTRUED IN THE LEAST INTRUSIVE MANNER CONSISTENT WITH
41 ARTICLE II, SECTION 8, CONSTITUTION OF ARIZONA, AND MAY NOT BE USED TO
42 IMPLEMENT A SYSTEM THAT TRACKS ALL OF AN ACCOUNT HOLDER'S ONLINE ACTIVITY.

43 3. DOES NOT AUTHORIZE THE REGULATION OF LAWFUL POLITICAL, RELIGIOUS
44 OR OTHER PROTECTED SPEECH.

1 4. MAY NOT BE CITED OR USED AS A PREDICATE OR JUSTIFICATION TO
2 REQUIRE DIGITAL IDENTIFICATION FOR GENERAL INTERNET ACCESS, DEVICE ACCESS
3 OR ONLINE ACTIVITY THAT IS NOT RELATED TO A CONVERSATIONAL AI SERVICE.

4 5. MAY NOT BE CONSTRUED TO REQUIRE OR AUTHORIZE AN OPERATING SYSTEM
5 PROVIDER, APPLICATION STORE, INTERNET SERVICE PROVIDER OR DEVICE
6 MANUFACTURER TO IMPLEMENT AN AGE-ASSURANCE METHOD OR IDENTITY
7 AUTHENTICATION AT THE DEVICE, OPERATING SYSTEM OR NETWORK LEVEL ON BEHALF
8 OF AN OPERATOR.

9 Sec. 2. Effective date

10 Title 18, chapter 8, Arizona Revised Statutes, as added by this act,
11 is effective from and after September 30, 2027.