

BELL, McANDREWS & HILTACHK, LLP

ATTORNEYS AND COUNSELORS AT LAW

455 CAPITOL MALL, SUITE 600

SACRAMENTO, CALIFORNIA 95814

(916) 442-7757

FAX (916) 442-7759

www.bmhlaw.com

December 5, 2025

Anabel Renteria
Initiative Coordinator
Office of the Attorney General
State of California
PO Box 994255
Sacramento, CA 94244-25550

RECEIVED
ATTORNEY GENERAL
2025 DEC -5 PM 4:57
SACRAMENTO OFFICE

Re: Request for Title and Summary for Proposed Initiative

Dear Initiative Coordinator:

With this letter I submit a proposed statewide ballot measure in accordance with Article II of Section 10(d) of the California Constitution. I am the proponent of the measure and a registered voter in the State of California. Please prepare a circulating title and summary of the measure as provided by law.

Enclosed with this letter and text of the proposed measure is a check in the amount of \$2,000 and the proponent affidavits required by the Elections Code.

For purposes of inquiries from the public and the media, please direct them as follows:

Thomas W. Hiltachk
455 Capitol Mall, Suite 600
Sacramento, CA 95814
916-442-7757

Thank you for your time and attention processing my request.

Sincerely,



Thomas Hiltachk

AI Companion Chatbot Safety Act

SECTION. 1. Findings & Declarations and Statement of Purpose.

The People of the State of California find and declare the following:

- A. In 2025, the Legislature enacted, and the Governor approved, legislation to protect users of certain artificial intelligence systems.
- B. Before the law could take effect, opponents of AI have sought to block its implementation and impede the technological innovation, job creation, and economic growth that will result from California's leadership in developing and regulating artificial intelligence now and in the future.
- C. It is the purpose of this measure to ensure that the law enacted by the Legislature and the Governor is implemented as intended and may be updated as necessary to keep pace with advances in technology.
- D. Therefore, the People of the State of California enact this measure to:
 - 1. Require an AI operator to take certain actions with respect to a user the operator knows is a minor, including disclose to the user that the user is interacting with artificial intelligence.
 - 2. Require an AI operator to prevent a companion chatbot from engaging with users unless the operator maintains a protocol for preventing the production of suicidal ideation, suicide, or self-harm content to the user.
 - 3. Require an AI operator of a companion chatbot platform to issue a clear and conspicuous notification indicating that the companion chatbot is artificially generated and not human if a reasonable person interacting with a companion chatbot would be misled to believe that the person is interacting with a human.
 - 4. Require an AI operator to annually report to the Office of Suicide Prevention protocols put in place to detect, remove, and respond to instances of suicidal ideation by users, and would require the office to post data from that report on its internet website.

SECTION 2. Chapter 22.6 (commencing with Section 22601) is added to Division 8 of the Business and Professions Code, to read:

CHAPTER 22.6. Companion Chatbots

22601. As used in this chapter:

- (a) "Artificial intelligence" means an engineered or machine-based system that varies in its level of autonomy and that can, for explicit or implicit objectives, infer from the input it receives how to generate outputs that can influence physical or virtual environments.

(b) (1) "Companion chatbot" means an artificial intelligence system with a natural language interface that provides adaptive, human-like responses to user inputs and is capable of meeting a user's social needs, including by exhibiting anthropomorphic features and being able to sustain a relationship across multiple interactions.

(2) "Companion chatbot" does not include any of the following:

(A) A bot that is used only for customer service, a business' operational purposes, productivity and analysis related to source information, internal research, or technical assistance.

(B) A bot that is a feature of a video game and is limited to replies related to the video game that cannot discuss topics related to mental health, self-harm, sexually explicit conduct, or maintain a dialogue on other topics unrelated to the video game.

(C) A stand-alone consumer electronic device that functions as a speaker and voice command interface, acts as a voice-activated virtual assistant, and does not sustain a relationship across multiple interactions or generate outputs that are likely to elicit emotional responses in the user.

(c) "Companion chatbot platform" means a platform that allows a user to engage with companion chatbots.

(d) "Office" means the Office of Suicide Prevention established pursuant to Section 131300 of the Health and Safety Code.

(e) "Operator" means a person who makes a companion chatbot platform available to a user in the state.

(f) "Sexually explicit conduct" has the meaning defined in Section 2256 of Title 18 of the United States Code.

(g) "Video game" means a game played on an electronic amusement device that utilizes a computer, microprocessor, or similar electronic circuitry and its own monitor, or is designed to be used with a television set or a computer monitor, that interacts with the user of the device.

22602. (a) If a reasonable person interacting with a companion chatbot would be misled to believe that the person is interacting with a human, an operator shall issue a clear and conspicuous notification indicating that the companion chatbot is artificially generated and not human.

(b) (1) An operator shall prevent a companion chatbot on its companion chatbot platform from engaging with users unless the operator maintains a protocol for preventing the production of suicidal ideation, suicide, or self-harm content to the user, including, but not limited to, by providing a notification to the user that refers the user to crisis service providers, including a suicide hotline or crisis text line, if the user expresses suicidal ideation, suicide, or self-harm.

(2) The operator shall publish details on the protocol required by this subdivision on the operator's internet website.

(c) An operator shall, for a user that the operator knows is a minor, do all of the following:

- (1) Disclose to the user that the user is interacting with artificial intelligence.
- (2) Provide by default a clear and conspicuous notification to the user at least every three hours for continuing companion chatbot interactions that reminds the user to take a break and that the companion chatbot is artificially generated and not human.
- (3) Institute reasonable measures to prevent its companion chatbot from producing visual material of sexually explicit conduct or directly stating that the minor should engage in sexually explicit conduct.

22603. (a) Beginning July 1, 2027, an operator shall annually report to the office all of the following:

- (1) The number of times the operator has issued a crisis service provider referral notification pursuant to Section 22602 in the preceding calendar year.
 - (2) Protocols put in place to detect, remove, and respond to instances of suicidal ideation by users.
 - (3) Protocols put in place to prohibit a companion chatbot response about suicidal ideation or actions with the user.
- (b) The report required by this section shall include only the information listed in subdivision (a) and shall not include any identifiers or personal information about users.
- (c) The office shall post data from a report required by this section on its internet website.
- (d) An operator shall use evidence-based methods for measuring suicidal ideation.

22604. An operator shall disclose to a user of its companion chatbot platform, on the application, the browser, or any other format that a user can use to access the companion chatbot platform, that companion chatbots may not be suitable for some minors.

22605. A person who suffers injury in fact as a result of a violation of this chapter may bring a civil action to recover all of the following relief:

- (a) Injunctive relief.
- (b) Damages in an amount equal to the greater of actual damages or one thousand dollars (\$1,000) per violation.
- (c) Reasonable attorney's fees and costs.

22606. The duties, remedies, and obligations imposed by this chapter are cumulative to the duties, remedies, or obligations imposed under other law and shall not be construed to relieve an operator from any duties, remedies, or obligations imposed under any other law.

SEC. 4. General Provisions.

- (a) The provisions of this measure are severable. If any portion, section, subdivision, paragraph, clause, sentence, phrase, word, or application of this measure is for any reason held to be

invalid by a decision of any court of competent jurisdiction, that decision shall not affect the validity of the remaining portions of this measure. The voters hereby declare that they would have adopted this measure and every portion, section, subdivision, paragraph, clause, sentence, phrase, word, and application not declared invalid or unconstitutional without regard to whether any portion of this measure or application of this measure would be subsequently declared invalid.

(b) The provisions of this measure may be amended by a statute that is passed by a two-thirds vote of the members of each house of the Legislature and signed by the Governor, provided that such amendments are consistent with and further the purposes of the measure.

(c) If this measure and another measure or measures relating to the same subject, including the "California Kids AI Safety Act," shall appear on the same statewide election ballot, the provisions of the other measure or measures shall be deemed to be in conflict with this measure, and if approved by the voters, the measure receiving the greater number of affirmative votes shall take effect and the other measure shall be null and void notwithstanding its approval by the voters.

(d) This measure shall be construed, interpreted, and implemented in order to achieve the purposes set forth in this measure.

AI Companion Chatbot Safety Act

SECTION. 1. Findings & Declarations and Statement of Purpose.

The People of the State of California find and declare the following:

- A. In 2025, the Legislature enacted, and the Governor approved, legislation to protect users of certain artificial intelligence systems.
- B. Before the law could take effect, opponents of AI have sought to block its implementation and impede the technological innovation, job creation, and economic growth that will result from California's leadership in developing and regulating artificial intelligence now and in the future.
- C. It is the purpose of this measure to ensure that the law enacted by the Legislature and the Governor is implemented as intended and may be updated as necessary to keep pace with advances in technology.
- D. Therefore, the People of the State of California enact this measure to:
 1. Require an AI operator to take certain actions with respect to a user the operator knows is a minor, including disclose to the user that the user is interacting with artificial intelligence.
 2. Require an AI operator to prevent a companion chatbot from engaging with users unless the operator maintains a protocol for preventing the production of suicidal ideation, suicide, or self-harm content to the user.
 3. Require an AI operator of a companion chatbot platform to issue a clear and conspicuous notification indicating that the companion chatbot is artificially generated and not human if a reasonable person interacting with a companion chatbot would be misled to believe that the person is interacting with a human.
 4. Require an AI operator to annually report to the Office of Suicide Prevention protocols put in place to detect, remove, and respond to instances of suicidal ideation by users, and would require the office to post data from that report on its internet website.

SECTION 2. Chapter 22.6 (commencing with Section 22601) is added to Division 8 of the Business and Professions Code, to read:

CHAPTER 22.6. Companion Chatbots

22601. As used in this chapter:

- (a) "Artificial intelligence" means an engineered or machine-based system that varies in its level of autonomy and that can, for explicit or implicit objectives, infer from the input it receives how to generate outputs that can influence physical or virtual environments.

(b) (1) "Companion chatbot" means an artificial intelligence system with a natural language interface that provides adaptive, human-like responses to user inputs and is capable of meeting a user's social needs, including by exhibiting anthropomorphic features and being able to sustain a relationship across multiple interactions.

(2) "Companion chatbot" does not include any of the following:

(A) A bot that is used only for customer service, a business' operational purposes, productivity and analysis related to source information, internal research, or technical assistance.

(B) A bot that is a feature of a video game and is limited to replies related to the video game that cannot discuss topics related to mental health, self-harm, sexually explicit conduct, or maintain a dialogue on other topics unrelated to the video game.

(C) A stand-alone consumer electronic device that functions as a speaker and voice command interface, acts as a voice-activated virtual assistant, and does not sustain a relationship across multiple interactions or generate outputs that are likely to elicit emotional responses in the user.

(c) "Companion chatbot platform" means a platform that allows a user to engage with companion chatbots.

(d) "Office" means the Office of Suicide Prevention established pursuant to Section 131300 of the Health and Safety Code.

(e) "Operator" means a person who makes a companion chatbot platform available to a user in the state.

(f) "Sexually explicit conduct" has the meaning defined in Section 2256 of Title 18 of the United States Code.

(g) "Video game" means a game played on an electronic amusement device that utilizes a computer, microprocessor, or similar electronic circuitry and its own monitor, or is designed to be used with a television set or a computer monitor, that interacts with the user of the device.

22602. (a) If a reasonable person interacting with a companion chatbot would be misled to believe that the person is interacting with a human, an operator shall issue a clear and conspicuous notification indicating that the companion chatbot is artificially generated and not human.

(b) (1) An operator shall prevent a companion chatbot on its companion chatbot platform from engaging with users unless the operator maintains a protocol for preventing the production of suicidal ideation, suicide, or self-harm content to the user, including, but not limited to, by providing a notification to the user that refers the user to crisis service providers, including a suicide hotline or crisis text line, if the user expresses suicidal ideation, suicide, or self-harm.

(2) The operator shall publish details on the protocol required by this subdivision on the operator's internet website.

(c) An operator shall, for a user that the operator knows is a minor, do all of the following:

- (1) Disclose to the user that the user is interacting with artificial intelligence.
- (2) Provide by default a clear and conspicuous notification to the user at least every three hours for continuing companion chatbot interactions that reminds the user to take a break and that the companion chatbot is artificially generated and not human.
- (3) Institute reasonable measures to prevent its companion chatbot from producing visual material of sexually explicit conduct or directly stating that the minor should engage in sexually explicit conduct.

22603. (a) Beginning July 1, 2027, an operator shall annually report to the office all of the following:

- (1) The number of times the operator has issued a crisis service provider referral notification pursuant to Section 22602 in the preceding calendar year.
- (2) Protocols put in place to detect, remove, and respond to instances of suicidal ideation by users.
- (3) Protocols put in place to prohibit a companion chatbot response about suicidal ideation or actions with the user.
- (b) The report required by this section shall include only the information listed in subdivision (a) and shall not include any identifiers or personal information about users.
- (c) The office shall post data from a report required by this section on its internet website.
- (d) An operator shall use evidence-based methods for measuring suicidal ideation.

22604. An operator shall disclose to a user of its companion chatbot platform, on the application, the browser, or any other format that a user can use to access the companion chatbot platform, that companion chatbots may not be suitable for some minors.

22605. A person who suffers injury in fact as a result of a violation of this chapter may bring a civil action to recover all of the following relief:

- (a) Injunctive relief.
- (b) Damages in an amount equal to the greater of actual damages or one thousand dollars (\$1,000) per violation.
- (c) Reasonable attorney's fees and costs.

22606. The duties, remedies, and obligations imposed by this chapter are cumulative to the duties, remedies, or obligations imposed under other law and shall not be construed to relieve an operator from any duties, remedies, or obligations imposed under any other law.

SEC. 4. General Provisions.

- (a) The provisions of this measure are severable. If any portion, section, subdivision, paragraph, clause, sentence, phrase, word, or application of this measure is for any reason held to be

invalid by a decision of any court of competent jurisdiction, that decision shall not affect the validity of the remaining portions of this measure. The voters hereby declare that they would have adopted this measure and every portion, section, subdivision, paragraph, clause, sentence, phrase, word, and application not declared invalid or unconstitutional without regard to whether any portion of this measure or application of this measure would be subsequently declared invalid.

(b) The provisions of this measure may be amended by a statute that is passed by a two-thirds vote of the members of each house of the Legislature and signed by the Governor, provided that such amendments are consistent with and further the purposes of the measure.

(c) If this measure and another measure or measures relating to the same subject, including the "California Kids AI Safety Act," shall appear on the same statewide election ballot, the provisions of the other measure or measures shall be deemed to be in conflict with this measure, and if approved by the voters, the measure receiving the greater number of affirmative votes shall take effect and the other measure shall be null and void notwithstanding its approval by the voters.

(d) This measure shall be construed, interpreted, and implemented in order to achieve the purposes set forth in this measure.