

LEGISLATURE OF NEBRASKA
ONE HUNDRED NINTH LEGISLATURE
SECOND SESSION

LEGISLATIVE BILL 1185

Introduced by Bostar, 29.

Read first time January 21, 2026

Committee: Banking, Commerce and Insurance

- 1 A BILL FOR AN ACT relating to consumer protection; to adopt the
- 2 Conversational Artificial Intelligence Safety Act; to provide powers
- 3 and duties to the Attorney General; to provide civil penalties; and
- 4 to provide an operative date.
- 5 Be it enacted by the people of the State of Nebraska,

1 **Section 1.** Sections 1 to 7 of this act shall be known and may be
2 cited as the Conversational Artificial Intelligence Safety Act.

3 **Sec. 2.** For purposes of the Conversational Artificial Intelligence
4 Safety Act:

5 (1) Account holder means an individual who has, or opens, an account
6 or profile to use a conversational artificial intelligence service;

7 (2)(a) Conversational artificial intelligence service means an
8 artificial intelligence software application, web interface, or computer
9 program that is accessible to the general public and that primarily
10 simulates human conversation and interaction through textual, visual, or
11 aural communications.

12 (b) Conversational artificial intelligence service does not include
13 an application, web interface, or computer program that is any of the
14 following:

15 (i) Primarily designed and marketed for use by developers or
16 researchers;

17 (ii) A feature within another software application, web interface,
18 or computer program that is not a conversational artificial intelligence
19 service;

20 (iii) Designed to provide outputs relating to a narrow and discrete
21 topic;

22 (iv) Primarily designed and marketed for commercial use by business
23 entities;

24 (v) Functions as a speaker and voice command interface or voice-
25 activated virtual assistant for a consumer electronic device; or

26 (vi) Used by a business solely for internal purposes;

27 (3) Individual means a natural person;

28 (4) Minor means an individual that, based upon the circumstance, the
29 operator has actual knowledge or reasonable certainty is younger than
30 eighteen years of age;

31 (5) Minor account holder means an account holder who is a minor;

1 (6)(a) Operator means a person who develops and makes available a
2 conversational artificial intelligence service to the public.

3 (b) Operator does not include mobile application stores or search
4 engines solely because they provide access to a conversational artificial
5 intelligence service;

6 (7) Person means a natural person or legal entity; and

7 (8) Sexually explicit conduct and visual depiction have the same
8 meanings as in 18 U.S.C. 2256.

9 **Sec. 3.** (1) An operator shall clearly and conspicuously disclose to
10 each minor account holder that such minor account holder is interacting
11 with artificial intelligence:

12 (a) As a persistent visible disclaimer; or

13 (b) Both:

14 (i) At the beginning of each session; and

15 (ii) Appearing at least every three hours in a continuous
16 conversational artificial intelligence service interaction.

17 (2) An operator shall not provide a minor account holder with points
18 or similar rewards at unpredictable intervals with the intent to
19 encourage increased engagement with the conversational artificial
20 intelligence service.

21 (3) An operator shall, for minor account holders, institute
22 reasonable measures to prevent the conversational artificial intelligence
23 service from:

24 (a) Producing visual depictions of sexually explicit conduct;

25 (b) Generating direct statements that the account holder should
26 engage in sexually explicit conduct; or

27 (c) Generating statements that sexually objectify the account
28 holder.

29 (4) For minor account holders, the operator shall institute
30 reasonable measures to prevent the conversational artificial intelligence
31 service from generating statements that would lead a reasonable person to

1 believe that they are interacting with a human, including:

2 (a) Explicit claims that the conversational artificial intelligence
3 service is sentient or human;

4 (b) Statements that simulate emotional dependence;

5 (c) Statements that simulate romantic or sexual innuendos; or

6 (d) Role-playing of adult-minor romantic relationships.

7 (5) An operator shall offer tools for minor account holders, and,
8 when such account holders are younger than thirteen years of age, their
9 parents or guardians, to manage the account holders' privacy and account
10 settings. An operator shall also offer related tools to the parents or
11 guardians of minor account holders thirteen years of age and older, as
12 appropriate based on relevant risks.

13 **Sec. 4. If a reasonable person interacting with a conversational**
14 **artificial intelligence system would be misled to believe that the person**
15 **is interacting with a human, an operator shall clearly and conspicuously**
16 **disclose that the conversational artificial intelligence service is**
17 **artificial intelligence.**

18 **Sec. 5. An operator shall adopt a protocol for the conversational**
19 **artificial intelligence service to respond to user prompts regarding**
20 **suicidal ideation or self-harm that includes, but is not limited to,**
21 **making reasonable efforts to provide a response to the user that refers**
22 **them to crisis service providers such as a suicide hotline, crisis text**
23 **line, or other appropriate crisis services.**

24 **Sec. 6. An operator shall not knowingly and intentionally cause or**
25 **program a conversational artificial intelligence service to make any**
26 **representation or statement that explicitly indicates that the**
27 **conversational artificial intelligence service is designed to provide**
28 **professional mental or behavioral health care.**

29 **Sec. 7. (1) The Attorney General shall enforce the Conversational**
30 **Artificial Intelligence Safety Act.**

31 **(2)(a) The Attorney General may bring a civil action for appropriate**

1 relief against an operator for a violation of the Conversational
2 Artificial Intelligence Safety Act, on behalf of the State of Nebraska or
3 on behalf of any person aggrieved by a violation of the act.

4 (b) In an action under this section, appropriate relief includes:

5 (i) Such preliminary and other equitable or declaratory relief as
6 may be appropriate;

7 (ii) An award of actual damages;

8 (iii) Civil penalties of at least one thousand dollars per
9 violation, but in no event more than five hundred thousand dollars per
10 operator; and

11 (iv) Reasonable expenses incurred in bringing the civil action,
12 including court costs, reasonable attorney's fees, investigative costs,
13 witness fees, and deposition costs.

14 (3) Nothing in the Conversational Artificial Intelligence Safety Act
15 can be interpreted as creating a private right of action.

16 (4) The Conversational Artificial Intelligence Act shall not create
17 liability for the developer of an artificial intelligence model for any
18 violation of the act by an artificial intelligence system developed by a
19 third party to provide a conversational artificial intelligence service
20 for such developer.

21 **Sec. 8.** This act becomes operative on July 1, 2027.