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## DIGEST

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HB 734 Original

2026 Regular Session

Carlson

**Abstract:** Provides relative to the regulation of artificial intelligence technology, prohibiting the state from entering into contracts with entities owned or controlled by foreign countries of concern, providing an artificial intelligence bill of rights for residents of this state, restricting companion chatbot use by minors, providing consumer protections for regarding chatbots and data usage and deidentification by artificial intelligence technology companies, and restricting unauthorized publication of a person's name, image, or likeness generated by artificial intelligence.

Proposed law defines "artificial intelligence" and "foreign country of concern".

Proposed law prohibits the state or a political subdivision from entering into, modifying, renewing, or extending a contract to provide artificial intelligence technology unless the entity provides an affidavit signed by an officer or a representative of the entity attesting that the entity does not meet any of the following criteria:

- (1) The entity is owned by the government of a foreign country of concern.
- (2) A government of a foreign country of concern has a controlling interest in the entity.
- (3) The entity is organized under the laws of or has its principal place of business in a foreign country of concern.

Proposed law provides for an effective date of this provision of proposed law on July 1, 2026; if vetoed by the governor and subsequently approved by the legislature, this Act shall become effective on July 1, 2026, or on the day following such approval by the legislature, whichever is later.

Proposed law defines "account holder", "artificial intelligence", "artificial intelligence technology company", "bot", "companion chatbot", "companion chatbot platform", "deidentified data", "material harmful to minors", "minor", "operator", "pop-up", "resident", "user", and "video game".

Proposed law establishes that residents of this state are entitled to certain rights with respect to artificial intelligence, including but not limited to the following:

- (1) The right to use artificial intelligence to improve their own lives and the lives of family members, fellow residents, and the world at large in accordance with the law.

- (2) The right to supervise, access, limit, and control their minor children's use of artificial intelligence.
- (3) The right to know whether they are communicating with a human being or an artificial intelligence system, program, or chatbot.
- (4) The right to know if artificial intelligence technology companies are collecting personal information or biometric data, and the right to expect artificial intelligence technology companies to protect and deidentify that information or data in accordance with the law.
- (5) The right to pursue civil remedies authorized by law against persons who use artificial intelligence to appropriate the name, image, or likeness of others for commercial purposes without their consent.
- (6) The right to be protected by law from criminal acts, such as fraud, exploitation, identity theft, stalking, and cyberbullying, regardless of whether artificial intelligence is used in the commission of those acts.
- (7) The right to be protected by law from criminal acts relating to the alteration of existing images to create sexual or lewd or lascivious images or child pornography, regardless of whether artificial intelligence is used in the commission of those acts.
- (8) The right to know whether political advertisements, electioneering communications, or similar advertisements were created in whole or in part with the use of artificial intelligence.
- (9) The right to pursue civil remedies authorized by law against others who use artificial intelligence to slander, libel, or defame them.

Proposed law provides that these rights may be exercised in accordance with existing law.

Proposed law provides that a companion chatbot platform shall prohibit a minor from entering into a contract to become an account holder or maintaining an existing account without consent from the minor's parent or guardian.

Proposed law provides that a companion chatbot platform shall allow the consenting parent or guardian of the minor account holder to do all of the following:

- (1) Obtain copies of all interactions between the account holder and the companion chatbot.
- (2) Limit the amount of time that the account holder may interact with the companion chatbot each day.
- (3) Limit the days of the week and the times during the day when the account holder may interact with the companion chatbot.

- (4) Disable any of the interactions between the account holder and third-party account holders on the companion chatbot platform.
- (5) Receive timely notifications if the account holder expresses to the companion chatbot a desire or an intent to engage in self-harm or to harm others.

Proposed law provides that a companion chatbot platform shall terminate an account treated as a minor's for the purposes of targeted content or advertising if the minor's parent or guardian does not provide consent for the account's use, and to provide 90 days for the account holder to dispute the termination.

Proposed law provides that a companion chatbot platform shall allow an account holder who is a minor to request account termination and terminate the account within 5 days of the request.

Proposed law provides that a companion chatbot platform shall allow a minor's parent or guardian to request the minor's account be terminated and to terminate the account within 10 days of the request.

Proposed law provides that the companion chatbot platform shall delete all personal information related to the terminated minor account permanently unless state or federal law requires otherwise.

Proposed law requires with respect to accounts of minors that a companion chatbot platform do all of the following:

- (1) Disclose to the account holder that he is interacting with artificial intelligence.
- (2) Provide by default a clear and conspicuous notification to the account holder, at the beginning of companion chatbot interactions and at least once every hour during continuing interactions, reminding the minor 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 or sharing materials harmful to minors or encouraging the account holder to engage in any of the conduct described or depicted in materials harmful to minors.

Proposed law provides that a violation of these provisions is a deceptive or unfair trade practice pursuant to the Unfair Trade Practices and Consumer Protection Law.

Proposed law provides for actions by the attorney general.

Proposed law provides for civil penalties.

Proposed law provides for liability and damages to a minor account holder.

Proposed law provides for a private cause of action on behalf of a minor account holder.

Proposed law provides for jurisdiction.

Proposed law provides that at the beginning of interactions and once every subsequent hour between a consumer and a bot, a pop-up message shall be displayed notifying users they are not engaged in dialogue with a human counterpart.

Proposed law provides that a violation of proposed law an unfair trade practice pursuant to the Unfair Trade Practices and Consumer Protection Law.

Proposed law provides for actions by the attorney general.

Proposed law provides for civil penalties.

Proposed law provides for jurisdiction.

Proposed law provides that an artificial intelligence technology company shall not disclose or sell personal information unless that information is deidentified data.

Proposed law provides that an artificial intelligence company in possession of deidentified data do all of the following:

- (1) Take reasonable measures to ensure that the data cannot be associated with an individual.
- (2) Maintain and use the data in deidentified form.
- (3) Contractually obligate a recipient of the deidentified data to comply with this Section.
- (4) Implement business processes to prevent the inadvertent release of deidentified data.

Proposed law provides that a violation of proposed law is an unfair trade practice pursuant to the Unfair Trade Practices and Consumer Protection Law.

Proposed law provides for actions by the attorney general.

Proposed law provides for civil penalties.

Proposed law provides for jurisdiction.

Proposed law provides for investigation authority and procedures by the attorney general for violations of proposed law.

Proposed law defines "generative artificial intelligence", "person", "servicemember", "surviving children", and "surviving spouse".

Proposed law provides that a person shall not publish, print, display, or otherwise publicly use for

trade or for any commercial or advertising purpose the name, portrait, photograph, image, or other likeness of an individual created through generative artificial intelligence without the express written or oral consent to such use given by any of the following:

- (1) The individual.
- (2) Any other person authorized in writing by the individual to license the commercial use of the individual's name, image, or likeness.
- (3) If the individual is deceased, a person authorized in writing to license the commercial use of the deceased individual's name, image, or likeness; or if a person is not so authorized, then by any one individual from among a class composed of the deceased individual's surviving spouse and surviving children. A legal parent or guardian may give consent on behalf of a minor surviving child.

Proposed law provides that a person shall not publish, print, display, or otherwise publicly use for trade or for any commercial or advertising purpose the name, portrait, photograph, image, or other likeness of an individual without the express written or oral consent to such use given by any of the following:

- (1) The individual.
- (2) Any other person authorized in writing by the individual to license the commercial use of the individual's name, image, or likeness.
- (3) If the individual is deceased, a person authorized in writing to license the commercial use of the deceased individual's name, image, or likeness; or if a person is not so authorized, then by any one individual from among a class composed of the deceased individual's surviving spouse and surviving children. A legal parent or guardian may give consent on behalf of a minor surviving child.

Proposed law provides for exemptions to proposed law.

Effective upon signature of governor or lapse of time for gubernatorial action.

(Adds R.S. 38:2320.21 and R.S. 51:3301-3308)