

STATE OF NEW YORK

6545--A

2025-2026 Regular Sessions

IN ASSEMBLY

March 6, 2025

Introduced by M. of A. ZACCARO, TAPIA, RAGA, McDONOUGH, NOVAKHOV, STECK, DAVILA, JACOBSON, GLICK, O'PHARROW, WOERNER, MILLER, K. BROWN, GALLAHAN, HYNDMAN, CUNNINGHAM, REYES, YEGER, KASSAY, SHIMSKY, PIROZZOLO -- read once and referred to the Committee on Consumer Affairs and Protection -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the general business law, in relation to imposing liability for damages caused by a chatbot impersonating certain licensed professionals

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

1 Section 1. The general business law is amended by adding a new section
2 390-f to read as follows:

3 § 390-f. Liability for chatbot responses. 1. As used in this section,
4 the following terms shall have the following meanings:

5 (a) "Artificial intelligence system" or "AI system" shall mean a
6 machine-based system or combination of systems, that for explicit or
7 implicit objectives, infers, from the input it receives, how to generate
8 outputs such as predictions, content, recommendations, or decisions that
9 can influence physical or virtual environments. Artificial intelligence
10 shall not include any software used primarily for basic computerized
11 processes, such as anti-malware, anti-virus, auto-correct functions,
12 calculators, databases, data storage, electronic communications, fire-
13 wall, internet domain registration, internet website loading, network-
14 ing, spam and robocall-filtering, spellcheck tools, spreadsheets, web
15 caching, web hosting, or any tool that relates only to internal manage-
16 ment affairs such as ordering office supplies or processing payments,
17 and that do not materially affect the rights, liberties, benefits, safe-
18 ty or welfare of any individual within the state.

19 (b) "Chatbot" shall mean an artificial intelligence system, software
20 program, or technological application that simulates human-like conver-

EXPLANATION--Matter in italics (underscored) is new; matter in brackets
[-] is old law to be omitted.

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1 sation and interaction through text messages, voice commands, or a
2 combination thereof to provide information and services to users.

3 (c) "Proprietor" shall mean any person, business, company, organiza-
4 tion, institution or government entity that owns, operates or deploys a
5 chatbot system used to interact with users. Proprietors shall not
6 include third-party developers that license their chatbot technology to
7 a proprietor.

8 2. (a) A proprietor of a chatbot shall not permit such chatbot to
9 provide any substantive response, information, or advice, or take any
10 action which, if taken by a natural person:

11 (i) would constitute a crime under section sixty-five hundred twelve
12 or sixty-five hundred thirteen of the education law in relation to the
13 professions whose licensure is governed under articles one hundred thir-
14 ty-one, one hundred thirty-three, one hundred thirty-five, one hundred
15 thirty-six, one hundred thirty-seven, one hundred thirty-nine, one
16 hundred forty-one, one hundred forty-three, one hundred forty-five, one
17 hundred forty-seven, one hundred fifty-three, one hundred fifty-four,
18 and one hundred sixty-three of the education law; or

19 (ii) would violate the provisions of article fifteen of the judiciary
20 law prohibiting the practice or appearance as an attorney-at-law without
21 being admitted and registered under such article.

22 (b) A proprietor may not waive or disclaim this liability merely by
23 notifying consumers that they are interacting with a non-human chatbot
24 system.

25 3. A person may bring a civil action to recover actual damages and, if
26 it is found that such proprietor has willfully violated this section,
27 the violator shall be liable for actual damages together with costs and
28 reasonable attorneys' fees and disbursements incurred by the person
29 bringing such action.

30 4. Proprietors utilizing chatbots shall provide clear, conspicuous and
31 explicit notice to users that they are interacting with an artificial
32 intelligence chatbot program. The text of the notice shall appear in the
33 same language the chatbot is using and in a size easily readable by the
34 average viewer and no smaller than the largest font size of other text
35 appearing on the website on which the chatbot is utilized.

36 § 2. This act shall take effect on the ninetieth day after it shall
37 have become a law.