

February 27, 2026

The Honorable Kris Valderrama
Chair
House Economic Matters Committee
Maryland House of Delegates
231 Taylor House Office Building
6 Bladen Street
Annapolis, MD 21401

RE: HB 952 (Buckel) - Consumer Protection - Companion Chatbots – Regulation – Unfavorable

Dear Chair Valderrama and Members of the Committee,

On behalf of TechNet, I'm writing to share comments on HB 952.

TechNet is the national, bipartisan network of technology CEOs and senior executives that promotes the growth of the innovation economy by advocating a targeted policy agenda at the federal and 50-state level. TechNet's diverse membership includes 103 dynamic American businesses ranging from startups to the most iconic companies on the planet and represents five million employees and countless customers in the fields of information technology, artificial intelligence, e-commerce, the sharing and gig economies, advanced energy, transportation, cybersecurity, venture capital, and finance.

TechNet and its member companies are committed to providing a safe experience for children and adults using their products online. Conceptually we agree with the intent of this bill: to create strong, sensible guardrails for children using AI companion chatbots. However, we have concerns about the bill in its current form.

We believe the bill could be strengthened by clarifying some of its definitions. For the definition of "Artificial Intelligence", we suggest the following language from the Organization for Economic Co-operation and Development's (OECD) November 2023 definition of AI:

- "Artificial intelligence" means a machine-based system that, for explicit or implicit objectives, infers, from the input it receives, how to generate outputs such as predictions, content, recommendations, or decisions that can influence physical or virtual environments. Different AI systems vary in their levels of autonomy and adaptiveness after deployment.

For the definition of "Companion Chatbot", we suggest the following definition from New York Budget [S3008 Part U](#) that outlines that the primary purpose of an AI

companion is to provide companionship, in addition to social, emotional, caregiving, or therapeutic support or uses. We appreciate the sponsor including exemptions in the definition already for consumer electronic device at (3)(A-D), as well as other exemption elements in (1) and (2)(A-C), and encourage the sponsor to leave them in the legislation; however, we are requesting additional exemptions and the changes listed below.

- "Companion Chatbot" means a system using artificial intelligence, generative artificial intelligence, and/or emotional recognition algorithms designed to simulate a sustained human or human-like relationship with a user by:
 - (i) retaining information on prior interactions or user sessions and user preferences to personalize the interaction and facilitate ongoing engagement with the AI companion;
 - (ii) asking unprompted or unsolicited emotion-based questions that go beyond a direct response to a user prompt; and
 - (iii) sustaining an ongoing dialogue concerning matters personal to the user.

Human relationships include, but shall not be limited to, intimate, romantic or platonic interactions or companionship. "Companion Chatbot" shall not include:

1. A BOT THAT IS USED BY A BUSINESS ENTITY ONLY FOR CUSTOMER SERVICE, **or to strictly provide users with information about available commercial services or products provided by the business entity, customer service account information or other information strictly related to the business entity's customer service, A system that is primarily designed and marketed for providing efficiency improvements, internal research or** TECHNICAL ASSISTANCE, BUSINESS ANALYTICS, ~~OR~~ INTERNAL RESEARCH, **internal use, or employee productivity.**
2. Add after sexually explicit conduct: **or maintain a dialogue on other topics unrelated to the video game.**

Moreover, in our view, requiring these types of models to periodically remind a user that it is AI, and not human, is unnecessary.

This bill also raises concerns around compelled speech that may infringe upon the First Amendment. Section (D)(2) requires an operator to disclose to all users that the companion chatbot might not be suitable for "some minors". The government may have a compelling interest to share this information; however we need to ensure that definitions are narrowed to the most harmful chatbots.

Finally, HB 952 provides for a private right of action (PRA). We believe that PRAs lead to frivolous lawsuits and only benefit a subset of industry operating in the litigation space. We believe that any enforcement should rest solely with the Attorney General.

For the reasons stated above, TechNet is opposed to HB 952 in its current form.
Please don't hesitate to reach out with any questions.

Sincerely,

Margaret Durkin

Margaret Durkin
TechNet Executive Director, Pennsylvania & the Mid-Atlantic