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Friends: Ai'll Be There for You

Ai Chatbots and the Future of Online Safety

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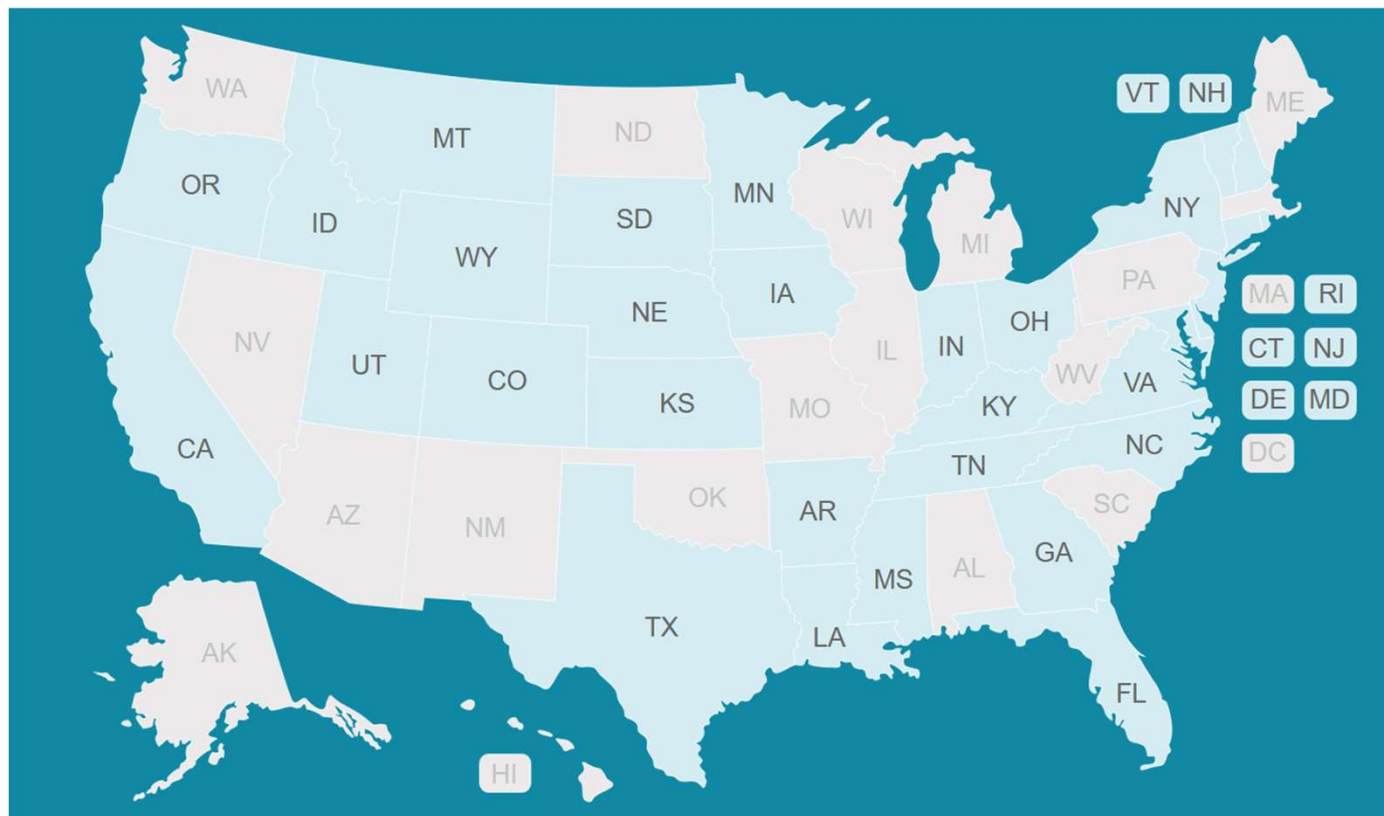
I. Online Safety Laws

Current state

US Law Developments

States Rush to Protect Minors

- Online Safety Laws
- Age-Appropriate Design
- App Store Age Verification
- State Privacy Laws
- Harmful Materials Laws



Source: <https://onlinesafety.orrick.com/>

Avalanche of State Online Safety Laws



Social Media Laws

State	Statute	Effective Date	Age
Connecticut (§7)	An Act Concerning Online Privacy, Data and Safety Protections SB3, §7, Conn. Gen. Stat. 42-528	07/01/2024	< 18
Florida	Protection of Children in Online Spaces, Fla. Stat. § 501.1735	07/01/2024	< 18
Texas (SCOPE)	Securing Children Online Through Parental Empowerment (SCOPE) Act, Tex. Bus. & Com.Code Ann. §§ 509.001-152	09/01/2024	< 18
Utah (HB 464)	Social Media Amendments, §§ 78B-3-1101-1106	10/01/2024	< 18
Florida	An Act Relating to the Online Protections for Minors, HB3, §501.1736	[01/01/2025]	<15
Tennessee	Protecting Children from Social Media, TN Code § 47-18-5701	01/01/2025	<18
California SB 976	Protecting our Kids from Social Media Act, 24 HSC § 27000	01/01/2025	<18
Louisiana	Protection of Children's Internet Data, RS 51:1761-1763	07/01/2025	< 18
Arkansas	Regulation of Social Media Platforms, Ark. Code 4-88-1501	8/3/2025	<16
Colorado (CPA amend)	CPA Amendments	10/01/2025	< 18
Colorado	Protections for Youth Using Social Media, HB 24-1136, Colo. Rev. Stat. 6-1-1601	01/01/2026	< 18
Nebraska	Parental Rights in Social Media Act, LB 383	01/01/2026	<18
Minnesota	Prohibiting Social Media Manipulation Act, MSA 325M.355	07/1/2026	n/a
California	Social Media Warning Law, 24 HSC 2800	01/01/2027	<17
New York (SAFE Kids)	Stop Addictive Feeds Exploitation (SAFE) for Kids Act, AB 8148	tbd	<18

Age-Appropriate / Gen Audience Laws

State	Statute	Effective Date	Age
Mississippi	The Walker Montgomery Protecting Children Online Act, HB 1126	07/01/2024	< 18
Connecticut (§8-13)	An Act Concerning Online Privacy, Data and Safety Protections SB3, §8-13, Conn. Gen. Stat. 42-529	10/01/2024	< 18
Maryland (AADC)	The Maryland Age Appropriate Design Code Act, HB 603/SB 571	10/1/2024	< 18
New York (CDPA)	New York Child Data Protection Act	06/20/2025	<18
Montana	Consumer Data Privacy Act Amendments, SB 297	10/1/2025	<18
Nebraska	Age-Appropriate Online Design Code Act, LB 504	01/01/2026	<18
Arkansas	Arkansas Children and Teen's Online Privacy Protection Act, Ark. Code 4-88-1601	7/1/2026	<17
Vermont	Vermont Age-Appropriate Design Code Act, S. 69	01/01/2027	<18

App Store Laws

State	Statute	Effective Date	Age
Texas	App Store Accountability Act, SB 2420, TX Bus. & C. 121.001	01/01/2026	<18
Louisiana	Online Protections for Minors, HB 570, LSA-RS 51:1771	07/01/2026	<18
Utah	App Store Accountability Act, SB 142, UCA 13-75-101	05/07/2025	<18
California	Age Verification Signals, AB 1043, Cal Civ. Code. 1798.500	01/01/2027	<18

Details at: <https://onlinesafety.orrick.com/>

And there's more: State Privacy Laws



State	Effective Date	Scope	
		Children < 13	Teens
California (as amended)	1/1/2020	✓	13-16 (under 16)
Virginia (as amended)	1/1/2023	✓	
Colorado (as amended)	7/1/2023	✓	
Connecticut (as amended)	7/1/2023	✓	13-16 (under 18)
Utah	12/31/2023	✓	
Florida	7/1/2024	✓	Under 18
Oregon (as amended)	7/1/2024	✓	13-15 (not older than 15)
Texas	7/1/2024	✓	
Montana (as amended)	10/1/2024	✓	Under 16
Iowa	1/1/2025	✓	

State	Effective Date	Scope	
		Children < 13	Teens
Delaware	1/1/2025	✓	Under 18
Nebraska	1/1/2025	✓	
New Hampshire	1/1/2025	✓	13-15 (under 16)
New Jersey	1/15/2025	✓	Under 17
Tennessee	7/1/2025	✓	
Minnesota	7/31/2025	✓	Under 16
Maryland	10/1/2025	✓	Under 18
Indiana	1/1/2026	✓	
Kentucky	1/1/2026	✓	
Rhode Island	1/1/2026	✓	

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Online Safety Law Trends



- ✓ Expanded definition of "child" to <16 or <18
- ✓ Age reporting (actual knowledge) or age assurance
- ✓ Opt-in consent (or ban) on targeted advertising, sales, profiling
- ✓ Age-appropriate design
 - Privacy-protective default settings
 - User interface design (avoid dark patterns and prevent "addiction")
 - Avoid heightened risk of harm to minors
- ✓ Data minimization and limits on secondary use

II. Rise of AI Chatbots

Risks and Regulation

LEGISLATION

GUARD Act (S. 3062)

- Broad definition of AI Companion
- Bans AI chatbots for minors requiring broad age verification for all users
- Criminalizes AI that solicits or produces sexual content for minors.

CHAT Act (S. 2714)

- Requires age verification, parental consent for a minor to access chatbot

SUBCOMMITTEE ON CRIME AND COUNTERTERRORISM

Examining the Harm of AI Chatbots

Subcommittee Hearing

Date: Tuesday, September 16th, 2025

Time: 02:30pm

Location: Dirksen Senate Office Building Room 226

State Legislative Updates



California

SB 243 regulates “companion chatbots” requiring disclosure, safety protocols, and reports to state authorities.

Illinois

WOPR Act places significant limits on AI usage in mental health counseling.

Maine

Chatbot Disclosure Act establishes transparency requirements for chatbots used in trade and commerce.

Nevada

AB 406 regulates the use of AI in mental and behavioral healthcare.

New York

Enacted as part of the state budget (S-3008C), requires platforms to remind users they are not interacting with a human and identify when the user expresses thoughts of suicide or self-harm.

Utah

HB 452 establishes rules and transparency requirements for suppliers of AI mental health chatbots.

Many more to come...

Investigations and Oversight




August 18, 2025 | Press Release

Attorney General Ken Paxton Investigates Meta and Character.AI for Misleading Children with Deceptive AI-Generated Mental Health Services

Utah Sues Snapchat For Unleashing Experimental AI Technology On Young Users While Misrepresenting the Safety of the Platform

June 30, 2025

 The National Law Review
<https://natlawreview.com/article/caru-takes-privacy-a...>

CARU Finds Buddy AI Non-Compliant with Children's ...

Mar 4, 2025 — Children's Advertising Review Unit determined Buddy AI failed to meet COPPA and children's privacy standards but acknowledged improvements ...

Hawley Expands Investigation, Demands Documents from Big Tech on AI Chatbot Policies after Hearing

FTC Launches Inquiry into AI Chatbots Acting as Companions

Agency issues 6(b) orders to seven companies that operate consumer-facing AI chatbots

Generative AI & Kids:

A Risk Matrix for Brands & Policymakers

The Children's Advertising Review Unit (CARU) AI Working Group will continue its efforts under BBB National Programs' 501c(3), the Center for Industry Self-Regulation. Learn more at industriyselfregulation.org/incubator.

AI in Children's Spaces:
Smart toys, chatbots,
learning apps, and
personalized content

- **Designed to help identify and mitigate risks of gen AI systems specific to kids**
- **Maps key risk areas, examples, potential harms, corporate responsibilities, and practical steps**

Gen AI & Kids Risk Matrix



Top Risk Categories Identified:

- **Misleading and deceptive advertising**
- **Deceptive influencer/endorser practices**
- **Privacy invasions / data protection risks**
- **Bias and discrimination in use of AI**
- **Harms to mental health and development**
- **Manipulation and over-commercialization**
- **Exposure to harmful content**
- **Lack of transparency**

Mitigating Risks in Child-Directed AI Products



Core Compliance Mitigations:

- Embed privacy-by-design and obtain verifiable parental consent
- Implement human-in-the-loop oversight for AI outputs
- Use clear disclosures and AI explainability tools
- Restrict behavioral targeting and disable nudging techniques
- Apply robust moderation for AI and user-generated content

Corporate Governance:

- Vet third-party vendors and data practices
- Establish AI “Greenlight” or ethics review committees
- Conduct bias impact assessments

Relevant Frameworks:

- FTC COPPA Rule, FAQs, Endorsement Guides
- CARU’s Advertising & Privacy Guidelines
- IEEE Trustworthy AI
- EU Digital Services Act
- UNICEF & OECD AI Principles
- UK ICO Children’s Code

Speakers



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Resources



- Orrick Online Safety Law Center: U.S. State Law Tracker, last updated November 7, 2025, available at: <https://onlinesafety.orrick.com/>
- CARU Generative AI & Kids: a Risk Matrix for Brands and Policymakers, available at <https://bbbprograms.org/getmedia/ef4f972c-7c04-4739-8356-94ae9bca31ec/Generative-AI-Risk-Matrix.pdf>
- FPF "Understanding the New Wave of Chatbot Legislation: California SB 243 and Beyond," updated November 4, 2025, available at: <https://fpf.org/blog/understanding-the-new-wave-of-chatbot-legislation-california-sb-243-and-beyond/>
- Georgetown Law Institute for Technology Law & Policy, "How Existing Laws Apply to AI Chatbots for Kids and Teens," updated November 10, 2025, available at: <https://www.law.georgetown.edu/tech-institute/insights/how-existing-laws-apply-to-ai-chatbots-for-kids-and-teens/> and [Google Doc](#)
- Orrick AI Law Center, updated monthly, available at: <https://ai-law-center.orrick.com/>
- FTC 6(b) Inquiry press release and draft Orders, available at: <https://www.ftc.gov/news-events/news/press-releases/2025/09/ftc-launches-inquiry-ai-chatbots-acting-companions>