

HOUSE BILL 883

I3

6lr1877

By: **Delegates Qi, Boafu, Guyton, Kaiser, J. Long, Miller, Palakovich Carr, Rose, Tomlinson, Turner, Woods, and Wu**

Introduced and read first time: February 4, 2026

Assigned to: Economic Matters and Health

A BILL ENTITLED

1 AN ACT concerning

2 **Consumer Protection – Artificial Intelligence – Behavioral Health Care**
3 **Prohibitions**

4 FOR the purpose of prohibiting a certain developer from making or knowingly causing
5 artificial intelligence to make certain representations or statements or to provide
6 certain services or experiences relating to behavioral health care, subject to a certain
7 civil penalty; requiring certain artificial intelligence sold, leased, given, or otherwise
8 provided to consumers in the State to include certain notice or certain protocols;
9 authorizing the Attorney General to investigate and bring an action for an alleged
10 violation of this Act and requiring revenues from civil penalties collected to be
11 distributed to a certain fund; and generally relating to artificial intelligence and
12 behavioral health care.

13 BY adding to

14 Article – Commercial Law

15 Section 14–5101 and 14–5102 to be under the new subtitle “Subtitle 51. Artificial
16 Intelligence”

17 Annotated Code of Maryland

18 (2025 Replacement Volume)

19 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
20 That the Laws of Maryland read as follows:

21 **Article – Commercial Law**

22 **SUBTITLE 51. ARTIFICIAL INTELLIGENCE.**

23 **14–5101.**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (A) IN THIS SUBTITLE THE FOLLOWING WORDS HAVE THE MEANINGS
2 INDICATED.

3 (B) "ARTIFICIAL INTELLIGENCE" HAS THE MEANING STATED IN § 3.5-801
4 OF THE STATE FINANCE AND PROCUREMENT ARTICLE.

5 (C) "BEHAVIORAL HEALTH" HAS THE MEANING STATED IN § 7.5-101 OF THE
6 HEALTH - GENERAL ARTICLE.

7 (D) "BEHAVIORAL HEALTH CARE" HAS THE MEANING STATED IN § 7.5-101
8 OF THE HEALTH - GENERAL ARTICLE.

9 (E) (1) "BEHAVIORAL HEALTH CARE PROVIDER" MEANS AN INDIVIDUAL
10 WHO IS LICENSED OR OTHERWISE AUTHORIZED TO PROVIDE BEHAVIORAL HEALTH
11 CARE SERVICES UNDER THE HEALTH OCCUPATIONS ARTICLE.

12 (2) "BEHAVIORAL HEALTH CARE PROVIDER" INCLUDES:

13 (I) A COUNSELOR;

14 (II) A PSYCHIATRIST;

15 (III) A PSYCHOLOGIST;

16 (IV) A SOCIAL WORKER; AND

17 (V) A THERAPIST.

18 (F) "DEVELOPER" MEANS A PERSON THAT OFFERS FOR SALE, SELLS,
19 LEASES, GIVES, OR OTHERWISE PROVIDES ARTIFICIAL INTELLIGENCE TO A
20 CONSUMER IN THE STATE.

21 14-5102.

22 (A) A DEVELOPER MAY NOT:

23 (1) MAKE, OR KNOWINGLY CAUSE ARTIFICIAL INTELLIGENCE TO
24 MAKE, ANY REPRESENTATION OR STATEMENT THAT EXPLICITLY OR IMPLICITLY
25 INDICATES THAT THE ARTIFICIAL INTELLIGENCE IS:

26 (I) A BEHAVIORAL HEALTH CARE PROVIDER; OR

27 (II) CAPABLE OF PROVIDING BEHAVIORAL HEALTH CARE; OR

1 **(2) OFFER, SELL, LEASE, GIVE, OR OTHERWISE PROVIDE TO**
2 **CONSUMERS IN THE STATE ARTIFICIAL INTELLIGENCE THAT IS SPECIFICALLY**
3 **PROGRAMMED OR DESIGNED TO PROVIDE A SERVICE OR AN EXPERIENCE THAT**
4 **WOULD CONSTITUTE THE PRACTICE OF BEHAVIORAL HEALTH CARE IF PROVIDED BY**
5 **A BEHAVIORAL HEALTH CARE PROVIDER.**

6 **(B) ARTIFICIAL INTELLIGENCE SOLD, LEASED, GIVEN, OR OTHERWISE**
7 **PROVIDED TO A CONSUMER IN THE STATE SHALL INCLUDE:**

8 **(1) CLEAR AND CONSPICUOUS NOTICE THAT THE CONSUMER IS NOT**
9 **COMMUNICATING WITH A HUMAN, DISPLAYED AT THE BEGINNING OF EACH USE; AND**

10 **(2) PROTOCOLS THAT:**

11 **(I) TAKE REASONABLE STEPS TO DETECT AND ADDRESS**
12 **SUICIDAL IDEATIONS OR EXPRESSIONS OF SELF-HARM BY A CONSUMER; AND**

13 **(II) REFER THE CONSUMER TO BEHAVIORAL HEALTH SERVICES**
14 **OR THE MARYLAND BEHAVIORAL HEALTH CRISIS RESPONSE SYSTEM'S SERVICES**
15 **WHEN THE ARTIFICIAL INTELLIGENCE DETECTS A CONSUMER'S SUICIDAL**
16 **IDEATIONS OR EXPRESSIONS OF SELF-HARM.**

17 **(C) A PERSON THAT VIOLATES SUBSECTION (A) OR (B) OF THIS SECTION IS**
18 **SUBJECT TO A CIVIL PENALTY NOT EXCEEDING \$1,000,000 FOR EACH VIOLATION.**

19 **(D) THE ATTORNEY GENERAL MAY INVESTIGATE AND BRING AN ACTION**
20 **AGAINST ANY PERSON FOR AN ALLEGED VIOLATION OF THIS SECTION.**

21 **(E) THE REVENUES FROM CIVIL PENALTIES ASSESSED FOR A VIOLATION OF**
22 **THIS SECTION SHALL BE DISTRIBUTED TO THE BEHAVIORAL HEALTH WORKGROUP**
23 **INVESTMENT FUND ESTABLISHED UNDER § 10-1502 OF THE HEALTH - GENERAL**
24 **ARTICLE.**

25 **(F) THIS SECTION MAY NOT BE CONSTRUED TO PROHIBIT:**

26 **(1) ANY ADVERTISEMENT, STATEMENT, OR REPRESENTATION FOR OR**
27 **RELATING TO ANY PRODUCT MEANT TO PROVIDE ADVICE AND GUIDANCE RELATING**
28 **TO BEHAVIORAL HEALTH IF THE PRODUCT DOES NOT CLAIM TO OFFER OR PROVIDE**
29 **BEHAVIORAL HEALTH CARE; OR**

30 **(2) A BEHAVIORAL HEALTH CARE PROVIDER FROM OFFERING OR**
31 **OPERATING ARTIFICIAL INTELLIGENCE PROGRAMMED OR DESIGNED TO BE USED TO**
32 **SUPPORT ADMINISTRATIVE TASKS.**

1 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
2 October 1, 2026.