

HOUSE BILL 883

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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

Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 10, 2026

CHAPTER _____

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 making a violation of this Act an unfair, abusive, or deceptive trade practice under
10 the Maryland Consumer Protection Act; authorizing the Attorney General to
11 investigate and bring an action for an alleged violation of this Act and requiring
12 revenues from civil penalties collected to be distributed to a certain fund; and
13 generally relating to artificial intelligence and behavioral health care.

14 BY repealing and reenacting, with amendments,

15 Article – Commercial Law
16 Section 13–301(14)(xlvii)
17 Annotated Code of Maryland
18 (2025 Replacement Volume)

19 BY repealing and reenacting, without amendments,

20 Article – Commercial Law
21 Section 13–301(14)(xlviii)
22 Annotated Code of Maryland

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 (2025 Replacement Volume)

2 BY adding to

3 Article – Commercial Law

4 Section 13–301(14)(xlix); and 14–5101 and 14–5102 to be under the new subtitle

5 “Subtitle 51. Artificial Intelligence”

6 Annotated Code of Maryland

7 (2025 Replacement Volume)

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

10 **Article – Commercial Law**

11 13–301.

12 Unfair, abusive, or deceptive trade practices include any:

13 (14) Violation of a provision of:

14 (xlvii) Title 14, Subtitle 50 of this article; [or]

15 (xlviii) Section 13–411.1(c)(2) of the Transportation Article; or

16 **(XLIX) TITLE 14, SUBTITLE 51 OF THIS ARTICLE; OR**

17 **SUBTITLE 51. ARTIFICIAL INTELLIGENCE.**

18 **14–5101.**

19 (A) IN THIS SUBTITLE THE FOLLOWING WORDS HAVE THE MEANINGS
20 INDICATED.

21 (B) “ARTIFICIAL INTELLIGENCE” HAS THE MEANING STATED IN ~~§ 3.5–801~~ §
22 15–10B–05.1 OF THE ~~STATE FINANCE AND PROCUREMENT~~ INSURANCE ARTICLE.

23 (C) “BEHAVIORAL HEALTH” HAS THE MEANING STATED IN § 7.5–101 OF THE
24 HEALTH – GENERAL ARTICLE.

25 (D) “BEHAVIORAL HEALTH CARE” HAS THE MEANING STATED IN § 7.5–101
26 OF THE HEALTH – GENERAL ARTICLE.

27 (E) (1) “BEHAVIORAL HEALTH CARE PROVIDER” MEANS AN INDIVIDUAL
28 WHO IS LICENSED OR OTHERWISE AUTHORIZED TO PROVIDE BEHAVIORAL HEALTH
29 CARE SERVICES UNDER THE HEALTH OCCUPATIONS ARTICLE.

1 **(2) “BEHAVIORAL HEALTH CARE PROVIDER” INCLUDES:**

2 **(I) A COUNSELOR;**

3 **(II) A PSYCHIATRIST OR OTHER LICENSED PHYSICIAN;**

4 **(III) A PSYCHOLOGIST;**

5 **(IV) A SOCIAL WORKER; ~~AND~~**

6 **(V) A THERAPIST; AND**

7 **(VI) A NURSE PRACTITIONER.**

8 **(F) “DEVELOPER” MEANS A PERSON THAT OFFERS FOR SALE, SELLS,**
9 **LEASES, GIVES, OR OTHERWISE PROVIDES ARTIFICIAL INTELLIGENCE TO A**
10 **CONSUMER IN THE STATE.**

11 **14-5102.**

12 **(A) A DEVELOPER MAY NOT:**

13 **(1) MAKE, OR KNOWINGLY CAUSE ARTIFICIAL INTELLIGENCE TO**
14 **MAKE, ANY REPRESENTATION OR STATEMENT THAT EXPLICITLY OR IMPLICITLY**
15 **INDICATES THAT THE ARTIFICIAL INTELLIGENCE IS:**

16 **(I) A BEHAVIORAL HEALTH CARE PROVIDER; OR**

17 **(II) CAPABLE OF PROVIDING BEHAVIORAL HEALTH CARE; OR**

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

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

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

27 **(2) PROTOCOLS THAT:**

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

3 (II) REFER THE CONSUMER TO BEHAVIORAL HEALTH SERVICES
4 OR THE MARYLAND BEHAVIORAL HEALTH CRISIS RESPONSE SYSTEM'S SERVICES
5 WHEN THE ARTIFICIAL INTELLIGENCE DETECTS A CONSUMER'S SUICIDAL
6 IDEATIONS OR EXPRESSIONS OF SELF-HARM.

7 (C) ~~A PERSON THAT VIOLATES SUBSECTION (A) OR (B) OF THIS SECTION IS~~
8 ~~SUBJECT TO A CIVIL PENALTY NOT EXCEEDING \$1,000,000 FOR EACH VIOLATION~~
9 VIOLATION OF SUBSECTION (A) OR (B) OF THIS SECTION IS:

10 (1) AN UNFAIR, ABUSIVE, OR DECEPTIVE TRADE PRACTICE WITHIN
11 THE MEANING OF TITLE 13 OF THIS ARTICLE; AND

12 (2) SUBJECT TO THE ENFORCEMENT PROVISIONS CONTAINED IN
13 TITLE 13 OF THIS ARTICLE.

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

16 (E) THE REVENUES FROM CIVIL PENALTIES ASSESSED FOR A VIOLATION OF
17 THIS SECTION SHALL BE DISTRIBUTED TO THE BEHAVIORAL HEALTH WORKGROUP
18 INVESTMENT FUND ESTABLISHED UNDER § 10-1502 OF THE HEALTH - GENERAL
19 ARTICLE.

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

21 (1) ANY ADVERTISEMENT, STATEMENT, OR REPRESENTATION FOR OR
22 RELATING TO ANY PRODUCT MEANT TO PROVIDE ADVICE AND GUIDANCE RELATING
23 TO BEHAVIORAL HEALTH IF THE PRODUCT DOES NOT CLAIM TO OFFER OR PROVIDE
24 BEHAVIORAL HEALTH CARE; OR

25 (2) A BEHAVIORAL HEALTH CARE PROVIDER FROM OFFERING OR
26 OPERATING ARTIFICIAL INTELLIGENCE PROGRAMMED OR DESIGNED TO BE USED TO
27 SUPPORT ADMINISTRATIVE TASKS.

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