

SENATE, No. 3668

STATE OF NEW JERSEY

222nd LEGISLATURE

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Sponsored by:

Senator OWEN HENRY

District 12 (Burlington, Middlesex, Monmouth and Ocean)

SYNOPSIS

Requires notification of use of artificial intelligence system in certain communications with consumers.

CURRENT VERSION OF TEXT

As introduced.



1 AN ACT concerning consumer communication with an artificial
2 intelligence system and supplementing P.L.1960, c.39 (C.56:8-1
3 et seq.).
4

5 **BE IT ENACTED** *by the Senate and General Assembly of the State*
6 *of New Jersey:*
7

8 1. a. A person or entity that deploys an artificial intelligence
9 system to communicate with a consumer through an online platform
10 shall, upon establishing contact with the consumer and prior to
11 initiating any further communication, clearly and conspicuously:

12 (1) notify the consumer that an artificial intelligence system is
13 communicating with the consumer; and

14 (2) provide the consumer with information on how to contact a
15 human, including but not limited to providing a phone number,
16 Internet website, or similar contact information for a human; the
17 days and times a human is available; and any other information
18 necessary for communication with a human.

19 b. It shall be an unlawful practice and a violation of P.L.1960,
20 c.39 (C.56:8-1 et seq.) for any person or entity that deploys an
21 artificial intelligence system to communicate with a consumer
22 through an online platform to violate the provisions of this section.

23 c. As used in this section:

24 “Artificial intelligence” means the development of software and
25 hardware and the end-use application of technologies that are able
26 to perform tasks normally requiring human intelligence, including,
27 but not limited to, visual perception, speech recognition, decision-
28 making, translation between languages, and generative artificial
29 intelligence, which generates new content in response to user inputs
30 of data.
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32 2. This act shall take effect immediately.
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35 STATEMENT
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37 This bill requires a person or entity to provide a consumer with
38 certain information if the person or entity uses an artificial
39 intelligence system to communicate with the consumer on an online
40 platform.

41 Specifically, the bill requires a person or entity, upon making
42 contact with a consumer and prior to initiating any further
43 communication, to: (1) notify the consumer that an artificial
44 intelligence system is communicating with the consumer, and (2)
45 provide the consumer with information on how to contact a human,
46 including but not limited to providing contact information and hours
47 of availability for a human and any other information necessary for
48 the consumer to contact a human.

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1 A violation of the bill's provisions would be an unlawful practice
2 under the consumer fraud act, and would be punishable by a
3 monetary penalty of not more than \$10,000 for a first offense and
4 not more than \$20,000 for any subsequent offense. Additionally, a
5 violation of the consumer fraud act can result in cease and desist
6 orders issued by the Attorney General, the assessment of punitive
7 damages, and the awarding of treble damages and costs to the
8 injured.