

AIETC # 1

Memorandum in Support

COMMITTEE ON AI AND EMERGING TECHNOLOGIES

January 14, 2026

S. 7263

By: Senator Gonzoles

A. 6545 A

By: M. of A. Tapia

Senate Committee: Internet and Technology

Assembly Committee: Consumer Affairs and Protection

Effective Date: Ninetieth day after it shall have become a law

AN ACT to amend the general business law, in relation to imposing liability for damages caused by a chatbot impersonating certain licensed professionals.

LAW AND SECTIONS REFERRED TO: The general business law is amended by adding a new section 390-f:

Introduction

The Committee on AI and Emerging Technologies (“AIETC” or the “Committee”) of the New York State Bar Association (NYSBA) was established to examine the legal, social, and ethical impact of artificial intelligence (AI), generative AI (GenAI), agentic AI, and other emerging technologies on the legal profession and global community. The AIETC has a dedicated workstream on AI Laws and Regulations, which focuses on analyzing existing legal frameworks and proposed rules impacting the development and use of AI systems, with particular attention to legal practice and the administration of justice.

In light of this mission, the Committee respectfully submits the following comments on Senate Bill S7263 / Assembly Bill A6545-A, which would impose liability for damages caused by chatbots impersonating certain licensed professionals.

General Position and Considerations

The Committee shares the Legislature’s concern regarding the rapidly increasing capacity of chatbots and other artificial intelligence systems to generate detailed advice of the kind ordinarily dispensed by licensed professionals. In particular, the Committee recognizes that the unregulated use of such technology can mislead the public and expose consumers to harm, and that proprietors of chatbots should be held liable for damages caused by the criminal use of these systems, including uses that would violate existing New York law governing professional conduct.

Opinions expressed are those of the Section/Committee preparing this memorandum and do not represent those of the New York State Bar Association unless and until they have been adopted by its House of Delegates or Executive Committee.

At the same time, the Committee expresses its significant concerns with the omnibus approach set forth in the proposed legislation, which would include within its scope numerous and disparate professional domains including, among others, the practices of optometry, engineering and land surveying, architecture, and interior design. This wide-sweeping approach may create significant difficulties for enforcement, including uncertainty in compliance and adjudication and potential chilling of legitimate uses of AI.

The Committee therefore urges the Legislature to consider adopting a more targeted, profession-specific approach, beginning with those areas where the public health, safety, or constitutional rights of New Yorkers are most directly implicated. This approach would be in line with legislative efforts of several other states, where regulation of AI-generated unauthorized professional practice has often begun with a focus on mental and behavioral health services. *See, e.g.*, Nevada (A.B. 406, 2025); Utah (H.B. 452, 2025); Illinois (HB 1806, 2025). The Committee believes that a gradual regulatory approach would provide greater clarity to enforcers, proprietors, and users, and better enable regulatory efforts to reflect ongoing technological developments.

Having made this general comment, the Committee also provides the following edits to the text as currently proposed.

Proposed Revisions

1. Definition of “Artificial intelligence system”

The Committee proposes the following revision to maintain a more general scope for the definition of “artificial intelligence system.” The Committee notes that the existing carveout, as written, does not materially affect the scope of the proposed Bill (given the Bill’s application to “chatbots” as further defined), but may become out-of-date as new technologies develop. Its removal will help to streamline the Bill’s text and avoid the need for future updates.

(a) "Artificial intelligence system" or "AI system" shall mean a machine-based system or combination of systems, 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. Artificial intelligence shall not include any software used primarily for basic computerized processes, such as anti-malware, anti-virus, auto-correct functions, calculators, databases, data storage, electronic communications, fire-wall, internet domain registration, internet website loading, networking, spam and robocall-filtering, spellcheck tools, spreadsheets, web caching, web hosting, or any tool that relates only to internal management affairs such as ordering office supplies or processing payments, and that do not materially affect the rights, liberties, benefits, safety or welfare of any individual within the state.

2. Definition of “chatbot”

The Committee proposes the following revision to ensure the inclusion of chatbots controlled other than through text messages or voice commands (for instance, through mouse gestures or other forms of user interface).

(b) "Chatbot" shall mean an artificial intelligence system, software program, or technological application that simulates human-like conversation and interaction through text, voice, images, gestures, or any other modality of communication through text messages, voice commands, or a combination thereof to provide information and services to users.

3. Revisions to Paragraph (4)

The Committee proposes the following revisions to Paragraph 4 to streamline font and format requirements on applicable notifications. The Committee notes that requiring the notice to be the same size as the largest text appearing on the website is likely to be impracticable in many applications, including by potentially conflicting with accessibility standards.

4. Proprietors utilizing chatbots shall provide clear, conspicuous and explicit notice to users that they are interacting with an artificial intelligence chatbot program. The text of the notice shall appear in the same language the chatbot is using and in a font and format size easily readable by the average viewer and no smaller than the largest font size of other text appearing on the website on which the chatbot is utilized.

Conclusion

The Committee on AI and Emerging Technologies commends the Legislature for proactively addressing the risks of AI systems impersonating licensed professionals. This bill is an important step toward protecting the public from unauthorized professional practice in the age of AI.

With the refinements outlined above, the statute would more effectively balance innovation with the safeguarding of legal, medical, and other professional standards.

Accordingly, the Committee on AI and Emerging Technologies **SUPPORTS** this bill with the forgoing recommendations.