**PUBLIC CITIZEN MODEL STATE LAW ON A CONSUMER RIGHT TO KNOW THEY ARE ENGAGING WITH A CHATBOT OR HUMAN-SEEMING COMPUTER TECHNOLOGY**

1. It is an unfair or deceptive trade practice, whether or not any consumer is in fact misled, deceived, or damaged thereby, for any corporation, organization or person to engage in a commercial transaction or trade practice with a consumer of any kind in which the consumer is communicating or otherwise interacting with a chatbot, artificial intelligence agent, avatar, or other computer technology that engages in a textual or aural conversation and may mislead or deceive a reasonable person to believe they are engaging with an actual human, and --

(a) The consumer is not notified in a clear and conspicuous fashion that they are communicating with a computer, not a human being; or

(b) The consumer may otherwise reasonably believe they are engaging with a human.

1. Any consumer subjected to a commercial transaction or trade practice that does not comply with (1) may initiate a private right of action.
2. Any corporation, organization or person who fails to comply with (I) with respect to any consumer is liable –

(a) to such consumer in an amount equal to the sum of any actual damage sustained by such person as a result of such failure, as well as statutory damages not exceeding $1,000; or

(b) in the case of a class action, for such amount as the court may allow for the class, not to exceed $10 million.

IV. The attorney general may seek injunctive relief against any corporation, organization or person who fails to comply with (I) with respect to any consumer; and any corporation, organization or person found in a court of law to be out of compliance with (I) shall be liable for a civil penalty not to exceed $5 million.