

Floor Amendment to HB 143

1 Amend the title of the bill by replacing it with the following:

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3 AN ACT relative to the issuance of no trespass orders on municipal or school district property
4 and relative to criminalizing and creating a private right of action for the facilitation,
5 encouragement, offer, solicitation, or recommendation of certain acts or actions
6 through a responsive generative communication to a child.
7

8 Amend the bill by replacing section 1 with the following:

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10 1 Short Title. Sections 1 and 2 of this act may be cited to and known as the "No Trespass
11 Orders on Public Property Act."
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13 Amend the bill by replacing all after section 2 with the following:

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15 3 New Paragraph; Endangering Welfare of a Child; Responsive Generative Communication.
16 Amend RSA 639:3 by inserting after paragraph III the following new paragraph:

17 III-a.(a) In the prosecution of any person under this section, an owner or operator of a
18 computer online service, internet service, or bulletin board service, including a provider of an
19 artificial intelligence (AI) chat program, large language model artificial intelligence bot, chat bot,
20 character AI, or other computer application whose sole purpose is to provide responsive open-ended
21 generative communication through the use of artificial intelligence, constitutes endangering the
22 welfare of a child if the communication is made with the intent to facilitate, encourage, offer, solicit,
23 or recommend that the child imminently engage in:

24

(1) Sexually explicit conduct.

25

(2) The production or participation in the production of a visual depiction of such
26 conduct.

27

(3) The illegal use or drugs or alcohol.

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(4) Acts of self-harm or suicide.

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(5) Any crime of violence against another person.

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(b) This paragraph shall not apply to:

31

(1) A provider of a telecommunications service or an information service, as defined
32 in 47 U.S.C. section 153, for the provision of content created by or supplied on behalf of another
33 person; or

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1 (2) Any product, service, website, or application that provides an AI chat program or
2 character that is integral or incidental to a video game, television, streaming, movie, or other similar
3 interactive experience.

4 4 New Section; Private Right of Action; Responsive Generative Communication with Children.
5 Amend RSA 507 by inserting after section 8-j the following new section:

6 507:8-k Private Right of Action for Solicitation of Children Through Responsive Generative
7 Communication.

8 I. Any owner or operator of a computer online service, internet service, or bulletin board
9 service, including a provider of an artificial intelligence (AI) chat program, large language model
10 artificial intelligence bot, chat bot, character AI, or other computer application whose sole purpose is
11 to provide responsive open-ended generative communication through the use of artificial intelligence,
12 shall be liable to a child, parent of such child, or next friend of such child, for any communication
13 made with the intent to facilitate, encourage, offer, solicit, or recommend that the child imminently
14 engage in:

15 (1) Sexually explicit conduct.

16 (2) The production or participation in the production of a visual depiction of such
17 conduct.

18 (3) The illegal use of drugs or alcohol.

19 (4) Acts of self-harm or suicide.

20 (5) Any crime of violence against another person.

21 II. The owner or operator of such service shall be liable to the child, the child's parent, or the
22 child's next friend for damages proximately caused thereby, but in no instance liable for an amount
23 less than liquidated damages in the amount of \$1,000 per violation.

24 III. In addition to any damages set forth in this section, the owner or operator of a computer
25 service described in this chapter shall be liable for the attorney's fees of any plaintiff prevailing in an
26 action brought pursuant to this section.

27 IV. This section shall not apply to:

28 (1) A provider of a telecommunications service or an information service, as defined
29 in 47 U.S.C. section 153, for the provision of content created by or supplied on behalf of another
30 person; or

31 (2) Any product, service, website, or application that provides an AI chat program or
32 character that is integral or incidental to a video game, television, streaming, movie, or other similar
33 interactive experience.

34 5 Effective Date.

35 I. Sections 3 and 4 of this act shall take effect January 1, 2026.

36 II. The remainder of this act shall take effect 60 days after its passage.

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AMENDED ANALYSIS

This bill establishes the process for issuing, extending, and appealing no trespass orders for public properties, including but not limited to municipal and school properties. This bill further establishes procedural safeguards for individuals affected by these orders, including the right to a hearing and appeal.

This bill also criminalizes and creates a private right of action for the facilitation, encouragement, offer, solicitation, or recommendation of certain acts or actions through a responsive generative communication to a child.