

Pennsylvania's AI bill protects children by threatening free speech | Opinion



Britain is recognizing that protecting children from the harms of social media requires more than good parenting — it's time for the United States to do the same. (AI tools were used to create this illustration based on images owned by Advance Local.) Advance Local Express Desk

By Kathy Fu

Pennsylvania's Senate Bill 1090 may be framed as a child protection measure, but beneath the surface, it reflects a deeper shift toward government management of digital speech. I strongly believe in keeping young people safe, but I also believe that policies written with good intentions can still pose very real threats to free expression and personal liberty.

SB 1090 requires operators of certain AI systems to deliver highly prescriptive disclosures, including telling users that they are interacting with AI — and repeating that message every few hours for minors. It also directs developers to prevent their systems from generating entire categories of content, including material related to selfharm, violence, and sexual topics, regardless of context or purpose.

The provisions carry civil penalties that can reach tens of thousands of dollars per violation.

At first glance, the rules sound like common sense. But the bill's language goes far beyond protecting kids from predatory technology. The definition of an "AI companion" covers any AI tool that remembers previous interactions, personalizes recommendations, or asks followup questions

that are not explicitly prompted by the user. Under that framing, even educational apps, study tools, and interactive learning systems could be regulated as if they were immersive, relationshipsimulating platforms.

The real concern is what happens next. If developers face steep penalties for generating content that could theoretically be interpreted as falling within a restricted category, many will simply err on the side of overblocking. That could silence discussions of historical events involving violence, public health information addressing topics like selfharm, or even politically sensitive issues that an algorithm might categorize as “emotionally charged.”

This should concern anyone who values the free exchange of ideas. We’ve already seen how easily online platforms can slip into broad suppression of

speech in the name of safety or risk management. SB 1090 would codify that dynamic into law, deputizing developers to police vast swaths of content or face regulatory consequences. Once the government establishes a template for designating certain conversations as off limits, it becomes far too easy to expand that authority into other areas.

Then there is the vague mandate to identify “known or suspected minors” that could force companies to gather more personal information than they would otherwise need. Instead of strengthening privacy protections, the legislation could encourage systems that track user profiles more aggressively simply to stay compliant.

This isn't what a responsible, liberty respecting policy should look like. Children can and should be protected, but not by creating broad

censorship responsibilities for developers or establishing legal expectations that every digital interaction conform to a government-approved script.

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A more balanced approach would focus on parental control tools, targeted safeguards for platforms specifically designed to simulate emotional relationships, and investments in digital literacy for families. It would not treat every AI system capable of remembering a conversation as a potential danger to minors.

Pennsylvania can protect children without compromising the freedoms that make open dialogue possible. But that requires a bill written with precision, not one that casts such a wide net that it risks turning innovation into a liability and free expression into collateral damage.

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