



104TH GENERAL ASSEMBLY

State of Illinois

2025 and 2026

HB5044

Introduced 2/10/2026, by Rep. Jennifer Gong-Gershowitz

SYNOPSIS AS INTRODUCED:

New Act

Creates the Chatbot Provider Liability Act. Provides that for purposes of the Act, chatbots are deemed products for the purpose of strict liability as other product liability actions. Provides that a chatbot provider has a duty to ensure that the use of its chatbot does not cause injury to a user and is liable for any injury it caused a user through the use of its chatbot regardless of whether the chatbot provider exercised all reasonable care in the design and distribution of the chatbot; or did not directly distribute the chatbot to the user or otherwise enter into a contractual relationship with the user. Provides that a user who is harmed by the actions of a chatbot provider under this Act may file a civil action in State or federal court seeking actual damages as allowed under Illinois law, injunctive relief, and reimbursement of reasonable attorney's fees and costs.

LRB104 18201 JRC 31640 b

1 AN ACT concerning civil liability.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 1. Short title. This Act may be cited as the
5 Chatbot Provider Liability Act.

6 Section 5. Definitions. As used in this Act:

7 "Chatbot" means any artificial intelligence, as defined in
8 the Digital Voice and Likeness Protection Act, algorithmic, or
9 automated system that generates information via text, audio,
10 image, or video in a manner that simulates interpersonal
11 interactions or conversation.

12 "Chatbot provider" means any person creating,
13 distributing, or otherwise making available a chatbot.

14 "User" means any natural person, regardless of age.

15 Section 10. Cause of action.

16 (a) For purposes of this Act, chatbots are deemed products
17 for the purpose of strict liability as other product liability
18 actions. A chatbot provider has a duty to ensure that the use
19 of its chatbot does not cause injury to a user.

20 (b) A chatbot provider is liable for any injury it causes a
21 user through the use of its chatbot regardless of whether the
22 chatbot provider exercised all reasonable care in the design

1 and distribution of the chatbot or did not directly distribute
2 the chatbot to the user or otherwise enter into a contractual
3 relationship with the user.

4 (c) A user who is harmed by the actions of a chatbot
5 provider under this Act may file a civil action in State or
6 federal court seeking actual damages as allowed under Illinois
7 law, injunctive relief, and reimbursement of reasonable
8 attorney's fees and costs.