



Illinois Chamber of Commerce
Springfield Office
215 E. Adams Street
Springfield, IL 62701
www.ilchamber.org

May 4, 2026

The Honorable Jennifer Gong-Gershowitz
271-S Stratton Office Building
Springfield IL 62706

The Honorable Debbie Meyers-Martin
254-W Stratton Office Building
Springfield, IL 62706

Dear Chairs Gong-Gershowitz and Meyers-Martin and members of the joint House Judiciary Civil and Consumer Protection Committees:

On behalf of the Illinois Chamber of Commerce, representing member companies of every size, sector, and region across the state, I write to express our opposition to HB 5044, the Chatbot Provider Liability Act. At the Chamber, we have the privilege of representing developers and deployers of the technology targeted by this legislation, but also the businesses that use this technology every day to improve productivity and contribute to their local economy. The Chamber is a strong supporter of increased innovation, and we have historically been champions of policies that encourage the safe and responsible investment in forward-looking technologies in Illinois. We are, however, broadly opposed to any legislation that risks limiting access to emerging technology tools.

Additionally, as the benefits of AI tools in our economy become ubiquitous, we urge caution on advancing legislation that will limit the availability of these services for Illinois residents or place our businesses at a competitive disadvantage compared to those in neighboring states.

While we appreciate Chair Gong Gershowitz's caucus leadership on the subject of artificial intelligence, we must respectfully share our following concerns.

Definitions and Operative Language of Concern:

Under HB 5044, a "chatbot" is defined as "any artificial intelligence...algorithmic, or automated system that generates information via text, audio, image, or video in a manner that simulates interpersonal interactions or conversation." We believe this definition is far too broad. In our interpretation, this definition would capture a wide range of longstanding business functions, including customer service bots, educational tutoring tools, internal IT help desks, and numerous other AI-assisted communication tools. We believe that the state must continue to narrowly tailor its definition of AI and AI-related services in existing statutes to remove compliance confusion.

With the rapidly changing language, concepts, and functions of what constitutes artificial intelligence, we urge policymakers to take reasonable and narrow approaches to these definitions that are interoperable and consistent to not risk creating confusion for Illinois businesses and residents.

Further, "chatbot provider" means "any person creating, distributing, or otherwise making available a chatbot." We also believe this definition to be far too broad, capturing large swaths of Illinois

businesses that are simply integrating AI tools to assist their workforce and deliver better service for their customers.

Under Section 10, chatbots are deemed “products” for the purpose of strict liability. As we recognize chatbots and artificial intelligence as a service, we strongly disagree with this classification. Chatbots are not consumer goods that are tangible personal property with physical characteristics. A chatbot’s utility is its ability to provide a dynamic digital response to often challenging verbal or written prompts. A service to improve communication between a business and its customers. As every output is unique and completely dependent upon the user’s prompt, it would be nearly impossible to test for potential defects. Unlike traditional manufacturing of tangible personal property, no company will be able to comply with the standard prescribed.

Additionally, “injury” is not defined under this legislation. It is subjective. An output that one customer finds to be harmful may be beneficial to another. With this service, there is no universal experience by which to test potential flaws and apply such a standard of liability. Including liability for economic losses, emotional distress, and other harms.

With no clear or narrow definition of injury, we have strong concerns that this legislation will set a bad precedent and lead to an outgrowth of litigation and increased costs, even for businesses that have no direct contractual relationship in the given situation.

Liability Expansion:

Under HB 5044, any chatbot user may file a civil action in court seeking actual damages, injunctive relief, and attorney’s fees. Liability expansion is not just limited to technology companies. We believe this legislation will increase compliance costs for companies across various industries and sectors that are adopting AI and utilizing this communication tool for employees and customers. In addition to developers, this legislation directly targets “chatbot providers” in the financial services, healthcare, transportation, and retail sectors, among many others. These broad expansions in liability run counter the Chamber’s prioritization of limiting any liability to narrow and reasonable remedies as may be necessary; the broad and unbounded nature of this liability expansion risks exposing several Illinois businesses to litigation for merely using or adopting tech tools that are an increasingly normal digital offering.

Stifling Innovation:

For the reasons stated above, HB 5044 will make it nearly impossible for any chatbot or related AI tool to be deployed in Illinois. Illinois would be the first state in the nation to apply a strict liability standard to what this legislation defines as “chatbots.” For small or mid-sized businesses, the compliance risk under this proposed act would be far too high. Despite Illinois’ status as a growing tech hub, the business climate in other states will be more inviting for start-ups and entrepreneurs.

Chatbots and artificial intelligence are at the forefront of innovation and progress in today’s economy. Technological advances of this kind are accompanied by incredible community intrigue. With that, we understand questions may arise from constituents about whether our state is engaged and responsive on this subject.

Yet, we ask the General Assembly to be extraordinarily cautious. We urge the members of the House Judiciary Civil and Consumer Protection Committees, and the General Assembly to oppose applying the legal framework prescribed to these tools and technologies under HB 5044. If not, we risk stifling innovation and severely limiting the availability of these services for Illinois residents and businesses.

While the Illinois Chamber opposes HB 5044, we always welcome open dialogue on artificial intelligence, consumer safety, and any other business-related matter pertinent to the work of this committee and the General Assembly.

Thank you for your time and careful consideration.

Regards,

Andrew Cunningham

Senior Director, Government Relations
Illinois Chamber of Commerce