
The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Senate Legislative Services. The keyword, summary, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

DIGEST

SB 5 Original

2026 Regular Session

Hensgens

Proposed law defines "artificial intelligence", "mental health chatbot", "operator", and "user".

Proposed law requires an operator of a mental health chatbot to disclose to a user that the chatbot is an artificial intelligence technology and not a human at certain intervals.

Proposed law requires an operator of a mental health chatbot to have protocols in place to address possible suicidal ideation, self-harm, or physical harm to others expressed by the user.

Proposed law prohibits an operator of a mental health chatbot from selling or sharing individually identifiable health information of a user or the user's input with any third party, except as authorized by proposed law.

Proposed law prohibits an operator from using a mental health chatbot to advertise a specific product or service unless the chatbot clearly and conspicuously identifies the advertisement as an advertisement and discloses certain information to the user.

Proposed law prohibits using the user's input to tailor advertisements to the user.

Proposed law authorizes the attorney general to bring a civil action against an operator for violations of proposed law.

Proposed law provides for a civil fine of up to \$10,000 per violation.

Proposed law provides for processes for the attorney general to initiate and pursue civil action against an operator.

Proposed law provides for the disposition of funds collected by the attorney general pursuant to proposed law.

Effective upon signature of the governor or lapse of time for gubernatorial action.

(Adds R.S. 28:16 and 17)