

# H5138 • South Carolina

## Chatbot Regulation

Introduced

Risk: High

Comprehensive

Last Action (Feb 10, 2026): Referred to Committee on Labor, Commerce and Industry

## Summary

SC H5138: Chatbot Regulation sets guidelines for chatbot operations, enacting the 'Chatbot Protection Act' with specific restrictions and civil action provisions.

## Business Impact

If you operate chatbots in South Carolina, you must comply with new operational guidelines by the effective date or face penalties.

## Key Provisions

- Enactment of the 'Chatbot Protection Act'
- Addition of Chapter 80 to Title 39
- Specific restrictions on chatbot activities
- Provisions for civil actions

## Compliance Checklist

- Obtain affirmative consent from users before processing personal data | Who: Chatbot providers | Penalty: Civil penalties and potential lawsuits
- Provide users access to their chat logs upon request | Who: Chatbot providers | Penalty: Civil penalties and potential lawsuits
- Disclose chatbot interaction to users | Who: Chatbot providers | Penalty: Civil penalties and potential lawsuits

## Industries Affected

Customer Service

Technology

Data Privacy

General

# Topics

AI in Social Media & Online Platforms

User-Facing AI

## Bill Sponsors

Name	Party	Role
Hosey		Primary
Bamberg		Primary
Lowe		Primary
Herbkersman		Primary
G.M. Smith		Primary
Alexander		Primary
Anderson		Primary
Atkinson		Primary
Bailey		Primary
Ballentine		Primary
Bannister		Primary
Bauer		Primary

## Related Bills

- S0896 (SC)

## Official Source

<https://www.scstatehouse.gov/billsearch.php?billnumbers=5138&session;=126&summary;=B>

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