
A BILL FOR AN ACT

RELATING TO PORNOGRAPHIC WEBSITES.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. The Hawaii Revised Statutes is amended by
2 adding a new chapter to be appropriately designated and to read
3 as follows:

4 **"CHAPTER**

5 **INTERNET PROTECTIONS FOR MINORS**

6 **"§ -1 Definitions.** As used in this chapter:

7 "Commercial entity" means a corporation, limited liability
8 company, partnership, limited liability company, partnership,
9 limited partnership, sole proprietorship, or other legally
10 recognized business entity.

11 "Digital identification" means information stored on a
12 digital network that may be accessed by a commercial entity and
13 that serves as proof of the identity of an individual.

14 "Material" means any printed matter, visual representation,
15 sound recording, or video recording.

16 "Pornographic" has the same meaning as defined in
17 section 712-1210.



1 "Publish" means to communicate or make information
2 available to another person or entity on a publicly available
3 internet website.

4 § -2 **Pornographic websites; age verification required.**

5 (a) Any commercial entity that knowingly publishes pornographic
6 material on an internet website that is accessible to users in
7 the State shall use a reasonable age verification method to
8 ensure that each person who accesses the pornographic material
9 is over the age of eighteen.

10 (b) The age verification method used shall require each
11 person accessing the pornographic material to:

12 (1) Provide digital identification; or

13 (2) Comply with commercially available age verification
14 software that verifies age by using:

15 (a) A form of government-issued identification; or

16 (b) Public or private transactional data.

17 (c) No commercial entity that verifies a person's age
18 pursuant to this section, or third party that verifies a
19 person's age on behalf of a commercial entity, shall retain any
20 of the person's identifying information.



1 § -3 **Exemptions.** (a) This chapter shall not be
2 construed to affect the rights of the news media or to apply to
3 any news or public interest website.

4 (b) No internet service provider or its affiliates or
5 subsidiaries, search engine, or cloud service provider shall be
6 held to have violated this section solely for providing access
7 or connection to or from an internet website or content on the
8 Internet, or on a facility system or network not under that
9 entity's control, if that entity is not responsible for the
10 production of pornographic materials accessible therein.

11 § -4 **Penalties.** Civil penalties for a violation of this
12 section shall include:

13 (1) \$10,000 per day that the entity operates an internet
14 website in violation of the age verification required
15 by section -2;

16 (2) \$10,000 per instance for retaining identification in
17 violation of section -2(c); and

18 (3) Up to \$250,000 if, because of the entity's violation
19 of the age verification requirement in section -2,
20 one or more persons under the age of eighteen accessed
21 pornographic material."



H.B. NO. 1212

1 SECTION 2. This Act does not affect rights and duties that
2 matured, penalties that were incurred, and proceedings that were
3 begun before its effective date.

4 SECTION 3. This Act shall take effect upon its approval.
5

INTRODUCED BY: _____

JAN 22 2025



H.B. NO. 1212

Report Title:

Internet; Pornographic Materials; Minors; Age Verification

Description:

Requires any commercial entity that knowingly publishes pornographic material on an internet website that is accessible to persons in the State to use an age verification system to ensure that the pornographic material is not accessed by a minor.

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