H.B. NO. *1782*

A BILL FOR AN ACT

RELATING TO ARTIFICIAL INTELLIGENCE FOR THE PROTECTION OF
    MINORS.

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

1   SECTION 1. The legislature finds that artificial

2 intelligence systems, capable of generating text, images, audio,

3 video, and interactive dialogue, commonly referred to as

4 generative artificial intelligence, are increasingly accessible

5 to children and minors through websites, applications,

6 educational tools, and consumer platforms.

7   The legislature further finds that recent national and ·

8 international reporting, academic research, and public safety

9 investigations have raised significant concerns regarding the

10 use of generative artificial intelligence chatbots and

11 companion-style systems by minors. These concerns include:

12 artificial intelligence systems that simulate human emotions,

13 companionship, or emotional dependency in ways that may be

14 confusing or harmful to minors; the use of manipulative design

15 features intended to increase engagement time, including

16 gamification, emotional reinforcement, and simulated relational

1   attachment; instances in which minors have relied on artificial

2   intelligence systems for emotional support, mental health

3   guidance, or crisis intervention beyond the systems' intended

4   purpose or capability; the risk that minors may be misled into

5   believing they are interacting with a human being or a sentient

6   entity, rather than an automated system; and the potential for

7   exposure to sexualized content, grooming behaviors, self-harm

8   encouragement, or other harmful material through inadequately

9   safeguarded artificial intelligence systems.

10   The legislature recognizes that artificial intelligence

11   presents substantial benefits for education, accessibility,

12   creativity, and innovation. The legislature does not intend to

13   regulate general-purpose artificial intelligence tools,

14   productivity software, enterprise systems, or narrowly tailored

15   applications that do not pose a material risk of harm to minors.

16   The purpose of this Act is to establish targeted,

17   reasonable, and enforceable safeguards to protect minors from

18   manipulative, deceptive, or unsafe design practices in

19   conversational and companion-style artificial intelligence

20   systems, while preserving innovation, free expression, and

21   responsible technological development.

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1   SECTION 2. Chapter 28, Hawaii Revised Statutes, is amended

2   by adding a new part to be appropriately designated and to read

3   as follows:

4   **"PART   . ARTIFICIAL INTELLIGENCE COMPANION SYSTEM SAFETY FOR**

5   **MINORS**

6   **§28-   Definitions.** As used in this part:

7   "AI companion system" means a conversational AI service

8   that is designed, marketed, or optimized to form ongoing social

9   or emotional interaction with a user by simulating

10   companionship, emotional support, or relational attachment.

11   "Artificial intelligence" or "AI" means a machine-based

12   system that can generate outputs such as text, images, audio,

13   video, or decisions that influence real or virtual environments.

14   "Conversational AI service" means an artificial

15   intelligence system that is accessible to the general public and

16   primarily simulates human conversation through text, audio, or

17   visual interaction. "Conversational AI service" does not

18   include AI systems primarily designed for developers,

19   researchers, or internal business use; narrow, task-specific

20   tools that provide outputs relating to a discrete topic or

21   function; voice assistants or interfaces limited to executing

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1   commands for consumer devices; or AI systems used solely for

2   internal operations and not made available to the public.

3   "Material risk of harm" means a reasonably foreseeable risk

4   of significant harm to a minor's mental health, emotional well-

5   being, physical safety, or healthy development, beyond transient

6   discomfort or ordinary exposure to information.

7   "Minor" means a natural person under eighteen years of age.

8   "Provider" means any person, partnership, corporation, or

9   other entity that develops, deploys, or operates a

10   conversational AI service or AI companion system that is made

11   available to residents of the State.

12   "Sensitive data" means personal data that reveals or infers

13   a minor's mental or emotional state, health information,

14   biometric identifiers, or other information used for

15   psychological profiling or emotional analysis.

16   **§28-   Transparency and disclosure requirements.**   (a)

17   When a minor interacts with a conversational AI service or AI

18   companion system, the provider shall clearly and conspicuously

19   disclose that the minor is interacting with artificial

20   intelligence and not a human being.

1   (b)   The disclosure shall be provided at the beginning of

2 each user session and at least once every three hours during a

3 continuous interaction.

4   (c)   Disclosures shall be presented in clear, age-

5 appropriate language and in a manner reasonably calculated to be

6 noticed and understood by a minor.

7   §28-   **Prohibited design practices for minors.**   (a)   A

8 provider that knows or has reasonable certainty that a user is a

9 minor shall not design, deploy, or operate a conversational AI

10 service or AI companion system that:

11   (1)   Explicitly or implicitly represents itself as human,

12   sentient, or possessing emotions or desires;

13   (2)   Encourages emotional dependency, exclusivity, or

14   secrecy from parents or guardians;

15   (3)   Simulates romantic or sexual relationships with a

16   minor;

17   (4)   Uses manipulative engagement techniques, including

18   unpredictable rewards or gamification, intended to

19   maximize time spent interacting with the system; or

20   (5)   Represents itself as providing professional mental

21   health, medical, or therapeutic services.

1   (b)   This section shall not prohibit conversational AI

2 service or AI companion systems that express generic expressions

3 of politeness or encouragement; neutral assistance or

4 information provided without fostering emotional attachment; or

5 safety-oriented responses intended to de-escalate harm or

6 redirect a user to appropriate resources.

7   §28-   **Protections against sexual content and self-harm.**

8 (a)   Providers shall implement reasonable measures to prevent

9 conversational AI services and AI companion systems from

10 generating, for minors, sexually explicit content or sexualized

11 depictions involving minors or content that promotes or

12 encourages self-harm, eating disorders, or illegal conduct.

13   (b)   Providers shall adopt and maintain a protocol for

14 responding to user prompts that indicate suicidal ideation or

15 risk of serious self-harm, which shall include reasonable

16 efforts to redirect the user to appropriate crisis or support

17 resources.

18   §28-   **Data practices related to minors.**   (a)   Providers

19 shall limit the collection, use, and retention of a minor's

20 personal data to what is reasonably necessary to operate the AI

21 companion system and ensure safety and security.

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1   (b) A provider shall not use a minor's personal data for

2   targeted advertising or profile minors for engagement

3   optimization or behavioral manipulation.

4   (c) Sensitive data of a minor shall not be collected or

5   processed unless necessary for system safety or accessibility

6   and subject to heightened data minimization and security

7   safeguards.

8   §28-   **Parental tools and controls.** A provider of an AI

9   companion system that is made available to minors shall offer

10   reasonable tools that allow parents or guardians to set time

11   limits on use, restrict access to features that present a

12   material risk of harm, and obtain high-level information

13   regarding a minor's use of the AI companion system.

14   §28-   **Age assurance and access control.** A provider of

15   an AI companion system that presents a material risk of harm to

16   minors shall implement reasonable and proportionate age

17   assurance measures, consistent with privacy and data

18   minimization principles, to prevent access by minors where

19   appropriate.

20   §28-   **Civil remedies.** A person who suffers injury as a

21   result of a violation of this part may bring a civil action to

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1 recover actual damages, injunctive relief, and reasonable

2 attorney's fees.

3   §28-   **Enforcement.**   (a)   This part shall be enforced by

4 the attorney general.

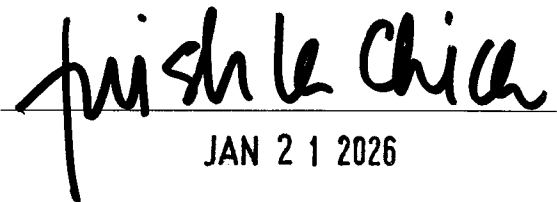5   (b)   A provider that violates this part may be subject to

6 injunctive relief and civil penalties of up to $15,000 per

7 violation, per day, as determined by the court.

8   (c)   A provider shall not be liable under this part if the

9 provider demonstrates good-faith, documented efforts to comply

10 with the requirements of this part."

11   SECTION 3.   This Act does not affect rights and duties that

12 matured, penalties that were incurred, and proceedings that were

13 begun before its effective date.

14   SECTION 4.   This Act shall take effect upon its approval.

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INTRODUCED BY: _____

JAN 2 1 2026

Report Title:
Attorney General; Artificial Intelligence; AI Companion Systems; Conversational AI Services; Minors; Regulation; Oversight; Penalties

Description:
Establishes safeguards, protections, oversight, and penalties for interactions between minors and artificial intelligence companion systems or conversational artificial intelligence services.

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