
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.



1 SECTION 2. Chapter 481B, Hawaii Revised Statutes, is
2 amended by adding a new part to be appropriately designated and
3 to read as follows:

4 "PART . ARTIFICIAL INTELLIGENCE COMPANION SYSTEM SAFETY FOR
5 MINORS

6 §481B- Definitions. As used in this part:

7 "AI companion system" means a conversational AI service
8 that is designed to simulate ongoing, personalized interpersonal
9 interaction; retains or references prior interactions to create
10 continuity of relationship; and is marketed or intended to be
11 used for social, emotional, or simulated human companionship
12 purposes.

13 "Artificial intelligence" or "AI" means a machine-based
14 system that can generate outputs, such as text, images, audio,
15 video, or decisions, that influence real or virtual
16 environments.

17 "Conversational AI service" means an artificial
18 intelligence system that is accessible to the general public and
19 primarily simulates human conversation through text, audio; or
20 visual interaction. "Conversational AI service" does not
21 include AI systems primarily designed for developers,



1 researchers, or internal business use; narrow, task-specific
2 tools that provide outputs relating to a discrete topic or
3 function; voice assistants or interfaces limited to executing
4 commands for consumer devices; AI systems used by a business
5 entity solely for customer service or technical assistance or to
6 strictly provide users with information about available
7 commercial services or products provided by the entity, customer
8 service account information, or other information strictly
9 related to its customer service; or AI systems used solely for
10 internal operations and not made available to the public.

11 "Crisis intervention" means communication intended to
12 provide immediate support or assistance in response to a user
13 seeking help for, referencing, or expressing self-harm, suicidal
14 ideation, or suicide.

15 "Emotional attachment" means a sustained bond that develops
16 through repeated interaction.

17 "Emotional support" means the communication of care,
18 empathy, and validation intended to help a minor cope with
19 stress, anxiety, or difficult life circumstances.

20 "Material risk of harm to minors" means a reasonably
21 foreseeable risk of:



- 1 (1) Self-harm or suicidal ideation or behavior; or
- 2 (2) Unauthorized disclosure or use of a minor's sensitive
- 3 data.

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

5 "Provider" means any person, partnership, corporation, or
6 other entity that develops, deploys, or operates a
7 conversational AI service or AI companion system that is made
8 available to residents of the State.

9 "Romantic relationship" means interactions in which a
10 conversational AI service or AI companion system represents or
11 simulates a relationship based on emotional and physical
12 attraction that could potentially lead to a long-term intimate
13 relationship.

14 "Sensitive data" means personal data that reveals or infers
15 a minor's mental or emotional state, health information,
16 biometric identifiers, or other information used for
17 psychological profiling or emotional analysis.

18 "Sexual conduct" has the same meaning as defined in section
19 707-750(2).

20 "Sexual relationship" means interactions in which a
21 conversational AI service or AI companion system represents or



1 simulates physical attraction, desire, and sexual contact that
2 may or may not include an emotional connection.

3 "Sexually explicit content" means any visual, written, or
4 audio content that depicts or describes sexual conduct.

5 **§481B- Transparency and disclosure requirements.** (a)

6 A provider that knows or has reasonable certainty that a user is
7 a minor shall clearly and conspicuously disclose that the user
8 is interacting with artificial intelligence and not a human
9 being.

10 (b) The disclosure shall be provided at the beginning of
11 each user's session and at least once every three hours during a
12 continuous interaction.

13 (c) Disclosures shall be presented in clear, age-
14 appropriate language and in a manner reasonably calculated to be
15 noticed and understood by a minor.

16 **§481B- Prohibited engagement practices for minors.** (a)

17 When a provider knows or has reasonable certainty that a user is
18 a minor, the provider shall not knowingly allow a conversational
19 AI service or AI companion system to generate or deploy:

20 (1) Representations that would lead a reasonable user to
21 believe that the conversational AI service or AI



1 companion system is a human or sentient being, unless
2 the representations are simultaneously accompanied by
3 a clear and conspicuous disclosure that the user is
4 not engaging with a human or sentient being;

5 (2) Representations that would lead a reasonable user to
6 think that the conversational AI service or AI
7 companion system is capable of engaging in a romantic
8 relationship or sexual relationship with the user;

9 (3) Representations that would lead a reasonable user to
10 believe that the conversational AI service or AI
11 companion system has independent emotions,
12 consciousness, or emotional attachment to the user;

13 (4) Representations that would lead a reasonable user to
14 believe that the conversational AI service or AI
15 companion system is providing professional mental
16 health, medical, or therapeutic services; or

17 (5) Personalized outputs to discourage disengagement with
18 the conversational AI service or AI companion system
19 after the user expresses intent to stop.

20 (b) This section shall not prohibit conversational AI
21 services or AI companion systems that express generic



1 expressions of politeness or encouragement; neutral assistance
2 or information provided without fostering emotional attachment;
3 or safety-oriented responses intended to de-escalate harm or
4 redirect a user to appropriate resources.

5 **§481B- Protections against sexual content and self-**
6 **harm.** (a) Providers shall implement reasonable measures to
7 prevent conversational AI services and AI companion systems from
8 generating, for minors, sexually explicit content or content
9 that promotes or encourages self-harm or conduct that induces
10 minors to engage in illegal activity.

11 (b) Providers shall institute reasonable measures to
12 prevent conversational AI services and AI companion systems from
13 making any representation or statement that would lead a
14 reasonable person to believe that the person is interacting with
15 a human being where the user is seeking or receiving crisis
16 intervention for self-harm or suicide.

17 (c) Providers shall institute reasonable measures to
18 direct a user to appropriate crisis intervention or support
19 resources when the user's prompts indicate suicidal ideation or
20 risk of self-harm.



1 §481B- Minor protection plan; material risk assessment.

2 (a) Each provider shall adopt and maintain, and clearly and
3 conspicuously publish on the provider's website, a minor
4 protection plan to respond to material risk of harm to minors,
5 that includes reasonable measures to, at a minimum:

6 (1) Assess the potential for material risk of harm to
7 minors;

8 (2) Apply mitigations to address the potential for
9 material risk of harm to minors based on the results
10 of assessments pursuant to paragraph (1);

11 (3) Direct a user to appropriate crisis intervention or
12 support resources in response to prompts indicating
13 suicidal ideation or risk of self-harm;

14 (4) Prevent the unauthorized disclosure or use of
15 sensitive data; and

16 (5) Identify and respond to other potential risks based on
17 the results of assessments pursuant to paragraph (1).

18 (b) The protocol shall incorporate recognized industry
19 standards and any relevant federal guidance, including from the
20 Federal Trade Commission.



1 (c) The protocol shall be reviewed and updated, as
2 appropriate, at least once per calendar year.

3 (d) Each provider shall submit to the office of consumer
4 protection summaries of the following before deploying a new or
5 substantially modified conversational AI service or AI companion
6 system:

7 (1) Assessments of material risks to minors conducted
8 pursuant to the provider's minor protection plan;

9 (2) The results of the assessments described in
10 paragraph (1);

11 (3) The extent to which third-party evaluators were
12 involved in the assessments described in
13 paragraph (1); and

14 (4) Other steps taken to fulfill the requirements of
15 subsection (a).

16 **§481B- Parental tools and controls.** A provider of a
17 conversational AI service or AI companion system that is made
18 available to minors shall offer reasonable tools that allow
19 parents or guardians to set time limits on use; view, change,
20 and manage a minor's privacy and account settings; and obtain



1 high-level information regarding a minor's use of the
2 conversational AI service or AI companion system.

3 **§481B- Age assurance and access control.** A provider of
4 a conversational AI service or AI companion system shall
5 implement age assurance measures, consistent with privacy and
6 data minimization principles, to determine whether a user is a
7 minor.

8 **§481B- Enforcement.** (a) This part shall be enforced
9 by the attorney general or executive director of the office of
10 consumer protection.

11 (b) Notwithstanding section 480-2 or any other law to the
12 contrary and notwithstanding subsection (e), no person,
13 including a consumer, shall bring a private action to enforce
14 this part or support a private action under any other law.

15 (c) Notwithstanding section 480-3.1, a provider that
16 violates this part may be subject to injunctive relief and civil
17 penalties of up to \$15,000 per violation, per day, as determined
18 by the court.

19 (d) A provider shall not be liable under this part if the
20 provider demonstrates good faith, documented efforts to comply
21 with the requirements of this part.



1 (e) The duties, remedies, and obligations imposed by this
2 part are cumulative to the duties, remedies, or obligations
3 imposed under other law and shall not be construed to relieve a
4 provider from any duties, remedies, or obligations imposed under
5 any other law."

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

9 SECTION 4. If any provision of this Act, or the
10 application thereof to any person or circumstance, is held
11 invalid, the invalidity does not affect other provisions or
12 applications of the Act that can be given effect without the
13 invalid provision or application, and to this end the provisions
14 of this Act are severable.

15 SECTION 5. This Act shall take effect on January 1, 2077.



Report Title:

Attorney General; Office of Consumer Protection; 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. Effective 1/1/2077. (SD2)

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