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# A BILL FOR AN ACT

RELATING TO IDENTITY THEFT.

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

1 SECTION 1. Section 708-800, Hawaii Revised Statutes, is  
2 amended by adding two new definitions to be appropriately  
3 inserted and to read as follows:

4        "Artificial intelligence" means a machine-based system  
5        that can, for a given set of human-defined objectives, make  
6        predictions, recommendations, or decisions influencing real or  
7        virtual environments, and that uses machine and human-based  
8        inputs to:

9            (1) Perceive real and virtual environments;  
10          (2) Abstract perceptions of real and virtual environments  
11            into models through analysis in an automated manner;  
12            and  
13          (3) Use model inference to formulate opinions for  
14            information or action.

15        "Materially deceptive media" means any information,  
16        including any video, image, or audio, that:



- 1        (1) Depicts an individual engaging in speech or conduct in
- 2                which the depicted individual did not in fact engage;
- 3        (2) Would cause a reasonable viewer or listener to believe
- 4                that the depicted individual engaged in the speech or
- 5                conduct depicted; and
- 6        (3) Was created by:
- 7                (A) Generative adversarial network techniques or
- 8                another technique that translates a source image
- 9                into another image using machine learning, deep
- 10                learning techniques, and convolutional neural
- 11                networks;
- 12                (B) Artificial intelligence; or
- 13                (C) Digital technology."

14                SECTION 2. Section 708-839.6, Hawaii Revised Statutes, is  
15        amended by amending subsection (1) to read as follows:

16                "(1) A person commits the offense of identity theft in the  
17        first degree if that person makes or causes to be made, either  
18        directly or indirectly, a transmission of any personal  
19        information of another by any oral statement, any written  
20        statement, or any statement conveyed by any electronic means,  
21        including fraudulent impersonation or false depiction through



1       artificial intelligence or materially deceptive media, with the

2       intent to:

3           (a) Facilitate the commission of a murder in any degree, a  
4           class A felony, kidnapping, unlawful imprisonment in  
5           any degree, extortion in any degree, any offense under  
6           chapter 134, criminal property damage in the first or  
7           second degree, escape in any degree, any offense under  
8           part VI of chapter 710, any offense under section 711-  
9           1103, or any offense under chapter 842; or

10          (b) ~~Commit~~ Gain access to confidential information or  
11           accounts to commit the offense of theft in the first  
12           degree from the person whose personal information is  
13           used, or from any other person or entity."

14          SECTION 3. Section 708-839.7, Hawaii Revised Statutes, is  
15          amended by amending subsection (1) to read as follows:

16           "(1) A person commits the offense of identity theft in the  
17          second degree if that person makes or causes to be made, either  
18          directly or indirectly, a transmission of any personal  
19          information of another by any oral statement, any written  
20          statement, or any statement conveyed by any electronic means,  
21          including fraudulent impersonation or false depiction through



1       artificial intelligence or materially deceptive media, with the  
2       intent to gain access to confidential information or accounts to  
3       commit the offense of theft in the second degree from any person  
4       or entity."

5           SECTION 4. Section 708-839.8, Hawaii Revised Statutes, is  
6       amended by amending subsection (1) to read as follows:

7           "(1) A person commits the offense of identity theft in the  
8       third degree if that person makes or causes to be made, either  
9       directly or indirectly, a transmission of any personal  
10      information of another by any oral statement, any written  
11      statement, or any statement conveyed by any electronic means,  
12      including fraudulent impersonation or false depiction through  
13      artificial intelligence or materially deceptive media, with the  
14      intent to gain access to confidential information or accounts to  
15      commit the offense of theft in the third or fourth degree from  
16      any person or entity."

17           SECTION 5. This Act does not affect rights and duties that  
18       matured, penalties that were incurred, and proceedings that were  
19       begun- before its effective date.

20           SECTION 6. Statutory material to be repealed is bracketed  
21       and stricken. New statutory material is underscored.



1 SECTION 7. This Act shall take effect upon its approval.

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INTRODUCED BY:

Nadine K. Nahm

JAN 23 2026



# H.B. NO. 1954

**Report Title:**

Identity Theft; Artificial Intelligence

**Description:**

Includes fraudulent impersonation or false depiction through artificial intelligence or materially deceptive media in the offenses of identity theft.

*The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.*

