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# 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.



SECTION 2. Chapter 28, Hawaii Revised Statutes, is amended by adding a new part to be appropriately designated and to read as follows:

"PART . ARTIFICIAL INTELLIGENCE COMPANION SYSTEM SAFETY FOR  
MINORS

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

"AI companion system" means a conversational AI service that is designed, marketed, or optimized to form ongoing social or emotional interaction with a user by simulating companionship, emotional support, or relational attachment.

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

"Conversational AI service" means an artificial intelligence system that is accessible to the general public and primarily simulates human conversation through text, audio, or visual interaction. "Conversational AI service" does not include AI systems primarily designed for developers, researchers, or internal business use; narrow, task-specific tools that provide outputs relating to a discrete topic or function; voice assistants or interfaces limited to executing



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.



(b) This section shall not prohibit conversational AI service or AI companion systems that express generic expressions of politeness or encouragement; neutral assistance or information provided without fostering emotional attachment; or safety-oriented responses intended to de-escalate harm or redirect a user to appropriate resources.

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

(a) Providers shall implement reasonable measures to prevent conversational AI services and AI companion systems from generating, for minors, sexually explicit content or sexualized depictions involving minors or content that promotes or encourages self-harm, eating disorders, or illegal conduct.

(b) Providers shall adopt and maintain a protocol for responding to user prompts that indicate suicidal ideation or risk of serious self-harm, which shall include reasonable efforts to redirect the user to appropriate crisis or support resources.

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

shall limit the collection, use, and retention of a minor's personal data to what is reasonably necessary to operate the AI companion system and ensure safety and security.



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.  
15

INTRODUCED BY: 





# S.B. NO. 2788

**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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