

JAN 23 2026

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# A BILL FOR AN ACT

RELATING TO ARTIFICIAL INTELLIGENCE.

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

1           SECTION 1. This Act shall be known and may be cited as the  
2 "Artificial Intelligence Disclosure and Safety Act".

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

6           "~~§481B-~~   Artificial intelligence; conversational  
7 artificial intelligence services; disclosures; reports;  
8 penalties. (a) If a reasonable person interacting with a  
9 conversational artificial intelligence service would be led to  
10 believe that the person is interacting with a human, an operator  
11 shall issue a clear and conspicuous notification indicating that  
12 the service is artificial intelligence and not human.

13           (b) If an operator has actual knowledge or reasonable  
14 certainty that an account holder or user is a minor, the  
15 operator shall clearly and conspicuously disclose to the minor  
16 account holder or user that they are interacting with artificial  
17 intelligence:



- 1        (1) As a persistent visible disclaimer; or
- 2        (2) Both:
- 3            (A) At the beginning of each session; and
- 4            (B) Appearing at least every hour in a continuous
- 5                    conversational artificial intelligence service
- 6                    interaction that reminds the user to take a break
- 7                    from the chat and that the conversation is
- 8                    artificially generated and not human.
- 9        (c) An operator shall:
- 10        (1) Adopt a protocol for the conversational artificial
- 11                    intelligence service to respond to user prompts
- 12                    regarding suicidal ideation or self-harm that includes
- 13                    but is not limited to making reasonable efforts to
- 14                    provide a response to the user that refers them to
- 15                    crisis service providers such as a suicide hotline,
- 16                    crisis text line, or other appropriate crisis
- 17                    services;
- 18        (2) Adopt and maintain a protocol for preventing the
- 19                    production of suicidal ideation, suicide, or self-harm
- 20                    content to the user, including by providing a



- 1           notification to the user that refers the user to  
2           crisis service providers;
- 3           (3) Use evidence-based methods for measuring suicidal  
4           ideation;
- 5           (4) Not knowingly or intentionally cause or program a  
6           conversational artificial intelligence service to make  
7           any representation or statement that explicitly  
8           indicates that the service is designed to provide  
9           professional mental or behavioral health care;
- 10          (5) Disclose to a user that the conversational artificial  
11          intelligence service may not be suitable for minors;  
12          and
- 13          (6) Notify a user of the operator's duty of care and  
14          liability pursuant to this section.
- 15          (d) Where an operator knows or has reasonable certainty  
16 that an account holder or user is a minor, an operator shall:
- 17          (1) Not provide the user with points or similar rewards at  
18          unpredictable intervals with the intent to encourage  
19          increased engagement with the conversational  
20          artificial intelligence service;



- 1        (2) Institute reasonable measures to prevent the  
2        conversational artificial intelligence service from:  
3        (A) Producing visual material of sexually explicit  
4        conduct;  
5        (B) Generating direct statements that the account  
6        holder should engage in sexually explicit  
7        conduct; or  
8        (C) Generating statements that sexually objectify the  
9        account holder;  
10       (3) Institute reasonable measures to prevent the  
11       conversational artificial intelligence service from  
12       generating statements that would lead a reasonable  
13       person to believe that they are interacting with a  
14       human, including:  
15       (A) Explicit claims that the service is sentient or  
16       human;  
17       (B) Statements that simulate emotional dependence;  
18       and  
19       (C) Statements that simulate romantic or sexual  
20       innuendos; and



1        (4) Offer tools to manage the minor account holder's or  
2        user's privacy and account settings to:

3        (A) The minor account holder or user; and

4        (B) The parent or guardian of the minor account  
5        holder or user if the minor account holder or  
6        user is under sixteen years of age;

7        provided that the operator shall also make the tools  
8        required by this paragraph available to the parent or  
9        guardian of a minor account holder or user sixteen  
10       years of age and above as appropriate based on  
11       relevant risks.

12       (e) Beginning January 1, 2027, an operator shall submit to  
13 the department of commerce and consumer affairs an annual report  
14 that includes:

15       (1) The number of times an operator has issued a crisis  
16       service provider referral in the preceding calendar  
17       year;

18       (2) Protocols put in place to detect, remove, and respond  
19       to instances of suicidal ideation by users; and

20       (3) Protocols put in place to prohibit a chatbot response  
21       about suicidal ideation or actions with the user;



1 provided that the report shall only include the information  
2 listed in this subsection and shall not include any identifiers  
3 or personal information about users.

4 (f) Any violation of this section shall be considered an  
5 unfair or deceptive act or practice under this chapter.

6 (g) The attorney general may bring an action based on a  
7 violation of this section to recover all of the following  
8 relief:

9 (1) Injunctive relief;

10 (2) Damages in an amount equal to the greater of:

11 (A) Actual damages; or

12 (B) A civil penalty of \$1,000 per violation; provided  
13 that damages awarded under this subparagraph  
14 shall not exceed \$1,000,000 per operator; and

15 (3) Reasonable attorneys' fees and costs.

16 (h) Nothing in this section shall be interpreted as  
17 creating a private right of action to enforce this section or to  
18 support a private right of action under any other law.

19 (i) This section shall not create liability for the  
20 developer of an artificial intelligence model for any violation  
21 of this section by an artificial intelligence system developed



1 by a third party to provide a conversational artificial  
2 intelligence service.

3 (j) The duties, remedies, and obligations imposed by this  
4 section are cumulative to the duties, remedies, or obligations  
5 imposed under other law and shall not be construed to relieve an  
6 operator from any duties, remedies, or obligations imposed under  
7 any other law.

8 (k) For the purposes of this section:

9 "Account holder" or "user" means a person who:

10 (1) Has, or generates, an account or profile to use a  
11 conversational artificial intelligence service; or

12 (2) Uses a conversational artificial intelligence service  
13 as a guest or through a temporary account without  
14 creating an account or profile.

15 "Artificial intelligence" means an engineered or  
16 machine-based system that varies in its level of autonomy and  
17 that can, for explicit or implicit objectives, infer from the  
18 input it receives how to generate outputs that can influence  
19 physical or virtual environments.

20 "Conversational artificial intelligence service" or  
21 "service" means an artificial intelligence software application,



1 web interface, or computer program, including any system that is  
2 integrated into or operates in conjunction with another social  
3 media platform, application, web interface, or computer program,  
4 that is accessible to the general public that primarily  
5 simulates human conversation and interaction through textual,  
6 visual, or aural communications. "Conversational artificial  
7 intelligence service" does not include an application, web  
8 interface, or computer program that:

9 (1) Is primarily designed and marketed for use by  
10 developers or researchers;

11 (2) Is a feature within another software application, web  
12 interface, or computer program that is not a  
13 conversational artificial intelligence service;

14 (3) Is designed to provide outputs relating to a narrow  
15 and discrete topic;

16 (4) Is primarily designed and marketed for commercial use  
17 by business entities;

18 (5) Functions as a speaker and voice command interface or  
19 voice-activated virtual assistant for a consumer  
20 electronic device; or

21 (6) Is used by a business solely for internal purposes.



1       "Minor" means any person under eighteen years of age.  
2       "Operator" means a person who develops or makes available a  
3 conversational artificial intelligence service to the public.  
4 "Operator" does not include mobile application stores or search  
5 engines solely because the mobile application store or search  
6 engine provides access to a conversational artificial  
7 intelligence service.  
8       "Sexually explicit conduct" has the same meaning as defined  
9 in title 18 United States Code section 2256."

10       SECTION 3. If any provision of this Act, or the  
11 application thereof to any person or circumstance, is held  
12 invalid, the invalidity does not affect other provisions or  
13 applications of the Act that can be given effect without the  
14 invalid provision or application, and to this end the provisions  
15 of this Act are severable.

16       SECTION 4. This Act does not affect rights and duties that  
17 matured, penalties that were incurred, and proceedings that were  
18 begun before its effective date.

19       SECTION 5. New statutory material is underscored.



# S.B. NO. 3001

1 SECTION 6. This Act shall take effect upon its approval.

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INTRODUCED BY: *Jet*



# S.B. NO. 3001

**Report Title:**

DCCA; AG; Artificial Intelligence; Conversational Artificial Intelligence Services; Disclosures; Suicide; Minors; Unfair or Deceptive Practices; Penalties; Reports

**Description:**

Requires operators of conversational artificial intelligence services in the State to issue certain disclosures to account holders and users. Requires operators to develop protocols to prevent the production of suicidal ideations in account holders and users. Establishes protections for minor account holders of conversational artificial intelligence services. Beginning January 1, 2027, requires operators to submit annual reports to the Department of Commerce and Consumer Affairs containing certain information. Allows the Department of the Attorney General to bring a civil action against operators who violate certain requirements and establishes statutory penalties.

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

