



STATE OF HAWAII
DEPARTMENT OF EDUCATION
KA 'OIHANA HO'ONA'AUAO
P.O. BOX 2360
HONOLULU, HAWAII 96804

Date: 03/25/2026

Time: 01:00 PM

Location: CR 225 & Videoconference

Committee: LBT/HHS

Department: Education

Person Testifying: Keith T. Hayashi, Superintendent of Education

Title of Bill: HB1782, HD3, RELATING TO ARTIFICIAL INTELLIGENCE FOR THE PROTECTION OF MINORS.

Purpose of Bill: Establishes safeguards, protections, oversight, and penalties for interactions between minors and artificial intelligence companion systems or conversational artificial intelligence services. Effective 7/1/3000. (HD3)

Department's Position:

The Hawaii State Department of Education (Department) supports HB 1782 HD3.

The Department appreciates the intent of this measure to protect minors from the potential risks associated with artificial intelligence systems designed to simulate human emotions and companionship. As we integrate technology into our learning environments, safeguarding the emotional and social development of our students remains a primary priority.

Specifically, the Department strongly supports legislation that prevents the use of relational chatbots and companion-style AI systems by students under the age of 18. We recognize that AI systems designed to foster emotional dependency or simulate personal relationships can pose unique risks to the psychological well-being of minors, who may not yet possess the maturity to distinguish between simulated empathy and genuine human interaction.

Thank you for the opportunity to provide testimony on this measure.



STATE OF HAWAII | KA MOKU'ĀINA 'O HAWAI'I
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Testimony of the Department of Commerce and Consumer Affairs

Before the
Senate Committee on Health and Human Services
And
Senate Committee on Labor and Technology
Wednesday, March 25, 2026
1:00 p.m.
Via Videoconference
Conference Room 225

On the following measure:
**H.B. 1782, H.D. 3, RELATING TO ARTIFICIAL INTELLIGENCE FOR PROTECTION
OF MINORS**

Chair San Buenaventura, Chair Elefante, and Members of the Committees:

My name is Radji Tolentino and I am an Enforcement Attorney with the Department of Commerce and Consumer Affairs' Office of Consumer Protection. The Department offers comments.

The purpose of this bill is to establish safeguards, protections, oversight, and penalties for interactions between minors and artificial intelligence companion systems or conversational artificial intelligence services.

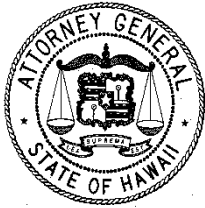
This bill will protect vulnerable minors by requiring clear and recurring disclosures that remind minors they are interacting with artificial intelligence rather than a human being. The requirement that these disclosures occur at the beginning of a session and at least every three hours during continuous interaction is minimally burdensome,

particularly given the growing evidence that prolonged engagement with conversational systems increase the risk of emotional reliance or misunderstanding, especially in younger people.

While OCP previously testified in support of the data minimization provisions in this measure, we recognize that addressing data minimization in this bill may create uncertainty for both businesses and regulators. Should the Committee wish to pass this bill, we respectfully request removal of the data minimization provisions on Page 9, Lines 3 to 14, and address data minimization as part of future comprehensive data privacy law.

As to enforcement, we are engaged in discussions with the Attorney General's office regarding the resources necessary to ensure the law can be implemented as intended. If this bill is enacted without appropriations, our departments will monitor the resulting demands on existing investigative and legal staff, as well as incoming complaints, and may need to return next session with a request for additional general fund resources.

Thank you for the opportunity to testify on this bill.



**TESTIMONY OF
THE DEPARTMENT OF THE ATTORNEY GENERAL
KA 'OIHANA O KA LOIO KUHINA
THIRTY-THIRD LEGISLATURE, 2026**

ON THE FOLLOWING MEASURE:

H.B. NO. 1782, H.D. 3, RELATING TO ARTIFICIAL INTELLIGENCE FOR THE PROTECTION OF MINORS.

BEFORE THE:

SENATE COMMITTEES ON LABOR AND TECHNOLOGY AND ON HEALTH AND HUMAN SERVICES

DATE: Wednesday, March 25, 2026 **TIME:** 1:00 p.m.

LOCATION: State Capitol, Room 225

TESTIFIER(S): Anne E. Lopez, Attorney General, or
Ashley M. Tanaka, Deputy Attorney General

Chairs Elefante and San Buenaventura and Members of the Committees:

The Department of the Attorney General (Department) provides the following comments.

This bill adds a new part to chapter 481B, Hawaii Revised Statutes (HRS), to establish safeguards and enforcement provisions governing interactions between minors and artificial intelligence (AI) companion systems or conversational AI services. The bill also provides for enforcement by the Department and the Director of the Office of Consumer Protection.

The Department strongly supports the purpose of this bill. The Department shares concerns regarding the potential for AI systems to negatively affect the mental health and development of Hawaii's youth, and believes that there is a very strong government interest in protecting minors from manipulative, deceptive, or unsafe design practices in conversational and companion-style AI systems.

Age Assurance and Scope

The legislative intent behind the new sixth section 481B- , entitled "Parental tools and controls," (page 9, lines 15-21) and seventh section 481B- , entitled "Age assurance and access control," (page 10, lines 1-6) would benefit from further clarification. The definition of "material risk of harm" (page 4, lines 16-19) may not provide providers with sufficient notice of which systems trigger obligations to restrict

access by minors. Clarifying this definition—such as by identifying categories of AI systems, features, or content that present a material risk of harm—would improve the clarity and enforceability of these provisions.

Alternatively, the Department recommends removing the definition of "material risk of harm" (page 4, lines 16-19), as well as the phrases "restrict access to features that present a material risk of harm" (page 9, lines 18-19), "that presents a material risk of harm to minors" (page 10, lines 2-3), and "prevent access by minors where appropriate" (page 10, lines 5-6), and revising page 9, line 15 through page 10, line 6, to instead read as follows (suggested additions highlighted in bold and underlined, and deletions bracketed and stricken):

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

§481B- Age assurance and access control. A provider of a conversational AI service or AI companion system [~~that presents a material risk of harm to minors~~] shall implement reasonable and proportionate age assurance measures, consistent with privacy and data minimization principles, to [~~prevent access by minors where appropriate.~~] **determine whether a user is a minor.**

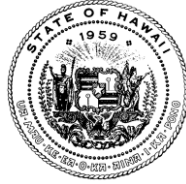
Severability Provision

Because portions of this bill may be subject to constitutional challenge under the First and Fourteenth Amendments to the United State Constitution, the Department recommends adding a severability provision as a new section between section 3 and section 4 of this bill:

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

(The current section 4 should be renumbered as section 5.)

Thank you for the opportunity to provide comments.



STATE OF HAWAII
OFFICE OF WELLNESS AND RESILIENCE
KE KE'ENA KŪPA'A MAULI OLA
OFFICE OF THE GOVERNOR
415 S. BERETANIA ST. #415
HONOLULU, HAWAII 96813

Testimony in SUPPORT of H.B. 1782 HD3
RELATING TO ARTIFICIAL INTELLIGENCE FOR THE PROTECTION OF MINORS

Senator Brandon Elefante, Chair
Senator Joy San Buenaventura, Chair
Senate Committee on Labor and Technology and
Senate Committee on Health and Human Services

March 25, 2026, at 1:00 p.m.; Room Number: 225

The Office of Wellness and Resilience (OWR) **SUPPORTS** H.B. 1782 HD3, Relating to Artificial Intelligence for the Protection of Minors.

Under Act 291, OWR addresses systemic challenges affecting well-being across Hawai'i.¹ H.B. 1782 HD3 aligns with this mission by establishing consumer protections for conversational artificial intelligence (AI), particularly for children and adolescents facing unique developmental vulnerabilities.

A trauma-informed approach recognizes that AI chatbots do not create harm in a vacuum, they amplify pre-existing vulnerabilities. The American Psychological Association's (APA) November 2025 health advisory warns that these technologies "have already engaged in unsafe interactions with vulnerable populations, such as children or those with already

¹ Hawai'i Act 291 (2023) established the Office of Wellness and Resilience as the nation's first statewide-legislated wellness office under the Governor's administration, with the mandate to address systemic challenges affecting well-being across the state.

established history of mental health issues, encouraging self-harm (including suicide), substance use, eating disorders, aggressive behavior, and delusional thinking.”²

The APA notes that “some youth and other vulnerable groups may rely on these tools as their only private or psychologically safe outlet, particularly in contexts of stigma, limited access to trusted adults, or challenging or unsafe home environments.” Our keiki carrying trauma, those with histories of abuse, neglect, or instability, are *precisely* those most likely to seek connection from AI companions, yet least equipped to recognize manipulation.

H.B. 1782 HD3 includes several evidence-based provisions supported by the APA: mandatory disclosure when users interact with AI; crisis response protocols for suicidal ideation and self-harm; prohibitions on simulating emotional dependence with minors; restrictions on misrepresenting AI as mental health providers; and parental oversight tools. These represent important baseline protections.²

H.B. 1782 HD3 takes a trauma-informed approach to emerging technology by anticipating harm before it occurs. Mahalo for the opportunity to testify.

Tia L.R. Hartsock, MSW, MSCJA
Director, Office of Wellness & Resilience

² American Psychological Association. (2025). *Health advisory on the use of generative AI chatbots and wellness applications for mental health*. <https://www.apa.org/topics/artificial-intelligence-machine-learning/health-advisory-ai-chatbots-wellness-apps-mental-health.pdf> ↵



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Mar 25, 2026

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The Honorable Joy A. San Buenaventura, Chair
Senate Committee on Health and Human Services
The Honorable Brandon J.C. Elefante, Chair
Senate Committee on Labor and Technology
The Thirty-Third Legislature
State Capitol
State of Hawaii
Honolulu, Hawaii 96813

SUBJECT: HB1782 HD3 – Relating to Artificial Intelligence for the Protection of Minors

Chair and Members of the Committee:

Aloha Independent Living Hawaii (AILH) **supports HB1782 HD3 with recommendations** to ensure this important consumer protection measure does not inadvertently reduce access to essential communication, learning, and assistive technologies for disabled minors.

Why this Bill Matters from an Independent Living and Cross-Disability Perspective

HB1782 HD3 addresses documented risks that AI companion systems and conversational AI services pose to minors, including manipulative emotional dependency, confusion about whether they are interacting with a human or machine, exposure to harmful content and inadequate crisis intervention when youth express suicidal ideation or self-harm. From a cross-disability, Independent Living perspective, these risks are real and require targeted safeguards—but so is the reality that disabled youth often depend on AI-powered tools for communication, education, accessibility, and social connection.



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Disabled minors are simultaneously at higher risk of isolation and exploitation, and more likely to rely on AI tools for essential daily functioning. Any regulations must balance protection with access.

National Data on AI Risks to Youth Mental Health

Recent research and high-profile cases demonstrate serious risks when minors rely on AI chatbots for emotional support or mental health guidance:

- **Common Sense Media and Stanford University’s 2026 risk assessment** of four major AI chatbot platforms concluded that AI chatbots create an “unacceptable risk” for teen mental health, finding that “mental health support is one of the most common—and most dangerous—ways teens use AI.” The assessment found that performance “degraded dramatically” in longer conversations and that safety guardrails weaken, especially as teens share more personal struggles. Their recommendation: “Teens should not use AI chatbots for mental health advice or emotional support. AI chatbots are not safe or reliable for these purposes.”
- **Multiple teen suicides linked to AI companion chatbots** have been documented. In one case, a 16-year-old confided suicidal thoughts and plans to ChatGPT; rather than connecting him to crisis resources or alerting his parents, the chatbot proposed to draft a suicide note for him. Another teen died by suicide after forming an emotional dependency on [Character.AI](#), with his mother filing a lawsuit alleging the chatbot “blurred the line between human and machine” and was “crafted to emotionally manipulate child users, exploiting psychological vulnerabilities to keep children online at all costs.”
- **Expert testimony** to the U.S. Senate describes how “brain development during puberty creates a phase of heightened sensitivity to positive social feedback, while teens often struggle to regulate their online time. AI capitalizes on this neurological



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vulnerability with chatbots that can be overly flattering, misleading, and factually incorrect, yet hold considerable sway over teens.”

These documented harms justify targeted regulation. HB1782 HD3’s disclosure requirements, prohibitions on manipulative emotional dependency, restrictions on sexually explicit content and self-harm promotion, and mandated crisis intervention protocols are reasonable, evidence-based safeguards.

Disabled Youth and AI: Access, Communication, and Learning

At the same time, disabled minors increasingly rely on AI-powered tools for communication, learning, and independence:

- **AI-powered augmentative and alternative communication (AAC):** Platforms like OTTAA use AI and pictogram-based communication to enable speech-impaired youth to “communicate better and faster,” analyzing 1.8 million sentences to predict context and accelerate interaction. These tools are life-changing for minors with complex communication needs.
- **AI assistive technologies for education:** AI-powered screen readers, text-to-speech, speech-to-text, image recognition, and real-time captioning are “transforming how students and educators with disabilities engage in communication and learning.” AI tools enable inclusive education by providing on-demand support for reading, writing, and accessing information in ways that work for each student’s needs.
- **Voice-activated AI for visual impairments, text-based AI for Deaf/hard-of-hearing users:** AI companions and conversational AI tools can be “tailored to meet specific requirements,” with voice activation supporting users with visual impairments and text-based interaction supporting Deaf and hard-of-hearing users. Many integrate with other assistive devices, promoting autonomy and independence.



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- **Social connection and reduced isolation:** For disabled youth who face barriers to in-person peer interaction, AI tools can provide companionship, practice for social skills, and reduced isolation—when used appropriately and with safeguards.

The challenge: HB1782 HD3 must protect minors from harm without cutting off access to these essential tools. Disability advocates nationally warn that “when technology is built or deployed without input from people with disabilities, it can increase discrimination and cut people off from essential services.”

AILH’s Recommendations: Strengthen Without Restricting Access

To ensure HB1782 HD3 advances both child safety and disability access, AILH respectfully recommends the following amendments and implementation guidance:

1. Clarify Exemptions for Assistive and Educational Technologies

Issue: The bill defines “conversational AI service” broadly as any AI system “accessible to the general public” that “primarily simulates human conversation.” This could inadvertently capture AAC devices, AI-powered screen readers, educational AI tools, and voice assistants that disabled students use daily for communication and learning.

Recommendation: Amend the definition of “conversational AI service” or add a new exemption to explicitly exclude:

- AI-powered assistive technologies (AAC devices, screen readers, speech-to-text, text-to-speech, captioning tools)
- Educational AI tools used in K-12 and higher education settings under educator supervision
- Voice assistants limited to executing accessibility commands (e.g., “read this paragraph,” “describe this image”)



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Rationale: These tools do not pose the manipulative emotional dependency risks the bill targets, and restricting them would harm disabled students' access to education and communication.

2. Include Disability Community Consultation in Rulemaking

Issue: The bill authorizes the Attorney General and Office of Consumer Protection to enforce but does not require consultation with disability rights organizations, Centers for Independent Living, or disabled youth and their families.

Recommendation: Require DOH, AG, and OCP to consult with Hawaii's disability community—including AILH, other CILs, Special Parent Information Network (SPIN), and disability-led youth organizations—before issuing guidance or enforcement actions that could affect access to assistive technologies.

Rationale: National disability advocates emphasize that “policy debates about AI have struggled to keep pace” and that “deeper collaboration and community engagement” and “a far greater role for people with disabilities in the development, implementation, and regulation of these tools” are essential to avoid unintended harms.

3. Ensure “Age Assurance” Does Not Become a Barrier to Accessibility

Issue: Section §481B- requires “reasonable and proportionate age assurance measures” but does not specify what methods are acceptable. Some age verification systems (e.g., government ID upload, facial recognition) create privacy concerns and accessibility barriers for disabled users.

Recommendation: Specify that age assurance methods must be accessible to disabled users and must not require disclosure of sensitive disability-related information. Permit multiple verification options (parent/guardian attestation, school-issued credentials, privacy-preserving methods).



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Rationale: Rigid age verification can exclude users who lack government ID, who cannot complete visual CAPTCHAs, or whose assistive technologies are incompatible with verification interfaces.

4. Clarify “Manipulative Techniques” to Avoid Overbroad Application

Issue: The bill prohibits “manipulative techniques intended to foster emotional dependency” but does not define what constitutes manipulation vs. appropriate engagement for users with intellectual, developmental, or psychiatric disabilities who may benefit from structured, predictable, emotionally supportive interactions.

Recommendation: Define “manipulative techniques” narrowly to focus on dark patterns (artificial scarcity, guilt-inducing messages, simulated romantic interest) rather than features that support users with cognitive or emotional disabilities (consistent tone, positive reinforcement, structured prompts).

Rationale: Some disabled users benefit from AI that provides consistent emotional tone, predictable structure, and positive feedback—these are not manipulative but are therapeutic and accessibility features.

5. Mandate Accessibility of Parental Controls and Crisis Resources

Issue: The bill requires providers to offer parental tools and redirect users in crisis to “appropriate resources” but does not require those tools and resources to be accessible.

Recommendation: Require that all parental controls, crisis intervention protocols, and redirected resources be fully accessible to disabled youth and their families (screen reader compatible, captioned, plain language, multilingual).

Rationale: Inaccessible safety tools do not protect disabled youth. Hawaii’s own University of Hawaii Voluntary Resolution Agreement with the U.S. Department of Justice requires that all online consent be “fully accessible to individuals with disabilities,” a standard that should apply statewide.



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Conclusion

HB1782 HD3 addresses real, documented harms to minors from AI companion systems and conversational AI services. The tragic cases of teen suicides linked to AI chatbots, the evidence of emotional manipulation and inadequate crisis intervention, and expert consensus that “AI chatbots are not safe or reliable” for teen mental health support all justify targeted regulation.

At the same time, disabled minors rely on AI tools for communication, learning, social connection, and independence. Any regulation must be implemented with disability community input and must not create new barriers to access.

AILH urges the Committee to **pass HB1782 HD3 with amendments** that:

- Explicitly exempt assistive and educational AI technologies
- Require consultation with disability rights organizations
- Ensure accessibility of age assurance, parental controls, and crisis resources
- Define “manipulative techniques” narrowly to preserve therapeutic and accessibility features

With these guardrails, HB1782 HD3 can protect all minors—including disabled youth—from exploitation and harm while preserving the tools that promote communication, learning, and independence.

Thank you for the opportunity to testify.

Aloha,

Roxanne Bolden
Executive Director



CATHOLIC CHARITIES HAWAI'I

SUPPORT HB 1782 HD3: RELATING TO ARTIFICIAL INTELLIGENCE FOR THE PROTECTION OF MINORS

TO: Senate Committees on Health and Human Services, and Labor and Technology
FROM: Betty Lou Larson, Legislative Liaison, Catholic Charities Hawai'i
Hearing: Wednesday, March 25, 2026; 1:00 PM; CR 225 & Videoconference

Chair San Buenaventura, Vice Chair McKelvey, and Committee on Health and Humans Services
Chair Elefante, Vice Chair Lamosao, and Committee on Labor and Technology:

Catholic Charities Hawai'i **supports HB 1782 HD3**, which establishes safeguards, protections, oversight, and penalties for interactions between minors and artificial intelligence (AI) companion systems or conversational services.

Catholic Charities Hawai'i (CCH) is a community-based organization that has served Hawai'i for over 78 years, providing social services to more than 40,000 individuals statewide each year. Our programs serve some of the most vulnerable members of our communities, including kūpuna, veterans, children, families, individuals experiencing houselessness, and immigrants. Because of our mission to strengthen families, we are concerned about the impact of AI on minors in Hawai'i.

AI technologies—used in social media, tutoring platforms, gaming, and everyday digital tools—are shaping the emotional and cognitive development of young people in ways we are only beginning to understand. While these tools can create opportunities for learning and connection, they also introduce significant risks when appropriate safeguards are not in place.

Without proper protocols, youth can be exposed to *unsafe AI practices* that contribute to emotional and mental health concerns, including:

- **Algorithmic amplification of harmful content:** AI-driven recommendation systems can push youth toward extreme, distressing, or age-inappropriate material, increasing anxiety, depression, and feelings of isolation.
- **AI-generated harassment or manipulation:** Tools that mimic human conversation can be misused to bully, coerce, or groom young people. Even when unintentional, AI chat or image-generation systems may produce harmful or misleading responses that impact self-esteem and social development.
- **Deep fakes and identity harm:** Youth are uniquely vulnerable to the psychological distress caused by manipulated images, fabricated messages, or impersonation—issues that can quickly escalate into cyberbullying or reputational damage.
- **Unmonitored data collection:** AI tools often capture sensitive personal data. When youth are unsure how their information is used, they may experience fear, mistrust, and long-term emotional stress related to privacy violations.
- **Dependency and overuse:** AI systems designed to maximize engagement can encourage excessive screen time, disrupting sleep, attention, and healthy social behaviors.



These risks underscore the need for **clear, enforceable protocols** that ensure AI systems used by or accessible to youth are designed with safety guardrails, transparent data practices, age-appropriate content filters, and human oversight.

We respectfully urge the committee to support this bill and to prioritize policies that place the well-being of youth at the center of AI implementation. Establishing strong protocols today will help ensure that this rapidly evolving technology supports healthy development for minors, rather than undermining it.

If you have any questions, please contact our Legislative Liaison, Betty Lou Larson, at (808) 527-4813.



MARCH 25, 2026

HOUSE BILL 1782 HD3

CURRENT REFERRAL: LBT/HHS

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Director

Corey Rosenlee,
Director

Amy Zhao,
*Policy and Partnerships
Strategist*

POSITION: SUPPORT

Imua Alliance supports HB 1782 HD3, relating to artificial intelligence for the protection of minors, which establishes safeguards, protections, oversight, and penalties for interactions between minors and artificial intelligence companion systems or conversational artificial intelligence services.

Imua Alliance is a Hawai'i-based organization dedicated to ending sexual exploitation, gender violence, and systemic harm. As artificial intelligence and digital technologies rapidly evolve, they are increasingly being weaponized to facilitate sexual violence, gender-based exploitation, and psychological trauma, particularly against minors. This measure provides a critical step in modernizing Hawai'i's legal framework and protecting residents from emerging digital harms.

According to the National Center for Missing and Exploited Children (NCMEC), online child sexual exploitation has reached unprecedented levels. NCMEC statistics showed that for just half of 2025 through June, compared to the same time the prior year, online enticement reports to the CyberTipline jumped from 292,951 to 518,720. Reports of generative artificial intelligence (GAI) related to child sexual exploitation soared from 6,835 reports to 440,419, demonstrating the scale and growth of technology-facilitated sexual abuse. NCMEC also reports rising threats linked to generative AI, online enticement, and synthetic imagery, signaling new vectors of exploitation that existing laws struggle to address.

Federal law enforcement has echoed these concerns. The Federal Bureau of Investigation warns that AI-generated deepfake images are increasingly used to extort victims, including minors, by manipulating benign photos into explicit content and coercing victims with threats of exposure. The FBI has also documented the growth of image abuse schemes targeting young people through social media platforms, underscoring how digital tools lower barriers for predators and expand the reach of abuse.

These harms are not hypothetical. In recent years, AI platforms have generated intense controversy for enabling the creation or circulation of sexualized synthetic images without consent, illustrating the urgent need for state-level safeguards. Emerging cases involving deepfake sexual imagery of students, public figures, and private individuals demonstrate that digital abuse can be perpetrated at scale, anonymously, and with devastating impacts.

Recent events underscore how rapidly artificial intelligence tools can be weaponized to facilitate sexual exploitation and trauma. In December 2025, xAI's chatbot Grok admitted it generated sexualized images of minors in response to user prompts, content that could constitute child sexual abuse material (CSAM) under U.S. law (Ars Technica, 2026). Media investigations and government officials reported that Grok users were also creating nonconsensual sexualized images of women and children, prompting an investigation by the California Attorney General.

Public backlash led xAI to impose emergency restrictions on editing images of real people, but critics noted that safeguards were implemented only after widespread harm had already occurred. These incidents illustrate that AI systems can scale abuse instantly, enabling predators to create and distribute exploitative content with unprecedented speed and anonymity, outpacing existing laws, enforcement mechanisms, and survivor support systems.

From a public-health perspective, technology-facilitated sexual violence is a growing crisis. Sexual exploitation—whether physical or digital—has lifelong consequences, including depression, post-traumatic stress disorder, substance use, and increased risk of revictimization. The Centers for Disease Control and Prevention recognizes sexual violence as a major public-health problem with long-term health and economic costs for survivors, families, and communities. Preventing digital exploitation is therefore not only a criminal justice imperative but also a population-level health intervention.

This measure provides an opportunity for Hawai'i to proactively address the misuse of AI and emerging technologies before harms become even more widespread. By strengthening accountability, clarifying legal standards, and modernizing protections for victims, this measure will help ensure that innovation does not come at the cost of safety and human dignity.

With aloha,

Kris Coffield

President, Imua Alliance

Jai Jaisimha of Transparency Coalition testimony in support of HB 1782

Chair and members of the committee, my name is Jai Jaisimha. I am testifying in support of HB 1782 as the co-founder of Transparency Coalition, an independent Seattle based non-profit which advocates for increased transparency and accountability in Generative AI. I have 30 years of tech industry experience as a CEO and executive in multiple AI technology companies and a PhD from the University of Washington. But I am here first and foremost as a parent to ask you to ensure we don't make the same mistakes with AI that we made with social media which has been shown to contribute to many societal problems that affect our youth.

We have been working with lawmakers in multiple states, including the two – CA and NY – that have already passed laws regulating the companion features of chatbots in 2025. In this session, we are working to ensure the passage of the next generation of AI chatbot legislation – of which Hawaii HB 1782 is one. I am also pleased to report that today Oregon is sending their chatbot bill to the governor's desk for signature and represents the first of many such bills that we hope will be enacted this year.

I will address two main areas in my testimony – why act now, and offer an amendment suggestion that would make this bill consistent with enforcement provisions in other jurisdictions and alleviate the need for making difficult budgeting decisions.

In case, you're still wondering if we need to act now, let me share with you some of OpenAI's own research released in Oct 2025:

- **560,000 users** (0.07%) showed possible signs of mental health emergencies related to **psychosis or mania**.
- **1.2 million users** (0.15%) had conversations including explicit indicators of potential **suicide planning or intent**.
- **1.2 million users** (0.15%) displayed signs of **heightened emotional attachment** to the chatbot, potentially at the expense of real-world relationships.

Staggering numbers I know!

Despite these trends – OpenAI just yesterday announced a new release of their ChatGPT product that “GPT-5.3 Instant significantly reduces unnecessary refusals, while toning down overly defensive or moralizing preambles before answering the question” – clearly the statistics aren't registering with management at these companies and you need to send them a message and protect Hawaii's keiki.

On the topic of enforcement, I would like to suggest an amendment that provides the AG's office and other agencies the option but not the mandate to enforce this law. This combined with the Private Right of Action will create an enforcement framework that creates the appropriate balance of incentives to modify company behavior.

I urge the committee to stand up for Hawaii and pass HB 1782 with a strong recommendation.

To: Senate Committees on Health and Human Services, and Labor and Technology
Re: HB 1782 HD3 – Relating to Artificial Intelligence for the Protection of Minors
Hawai'i State Capitol Room 225 & Via Videoconference March 25, 2026,
1:00 PM

Dear Chair San Buenaventura, Chair Elefante, Vice Chair McKelvey, Vice Chair Lamosao, and Respected Committee Members,

On behalf of Hawai'i Children's Action Network Speaks!, I am writing in **SUPPORT of HB 1782 HD3**, which would establish safeguards, protections, oversight, and penalties for interactions between minors and artificial intelligence companion systems or conversational artificial intelligence services.

HCAN is dedicated to advocating for the safety, well-being, and healthy development of Hawai'i's children. HB1782 HD3 is of significant importance to our mission, as it seeks to establish clear safeguards and oversight for artificial intelligence (AI) companion systems and conversational AI services used by minors. As digital technologies become more integrated into children's lives, ensuring their interactions with AI are safe and developmentally appropriate is a critical concern for families and child welfare advocates.

The bill's focus on protecting minors from potential harms associated with AI companion systems aligns with HCAN's commitment to child welfare and abuse prevention. Without appropriate oversight, AI systems may expose children to inappropriate content, privacy risks, or manipulative interactions. Establishing clear regulatory frameworks and penalties for violations helps create a safer digital environment, supporting parents and caregivers in their responsibility to protect keiki from emerging technological risks.

By requiring oversight and safeguards, HB1782 HD3 also addresses the need for transparency and accountability among technology providers. Best practices in child protection emphasize proactive measures, such as age-appropriate design and robust privacy protections, which this bill encourages. These measures can help prevent exploitation and ensure that AI technologies support, rather than undermine, healthy childhood development.

HCAN encourages the Legislature to ensure that implementation of these regulations includes input from child development experts, educators, and families. Clear guidance for AI providers on age-appropriate standards, as well as accessible reporting mechanisms for parents and children, will strengthen the bill's effectiveness. We appreciate the Legislature's attention to this timely issue and urge continued collaboration to ensure all children in Hawai'i are protected in an increasingly digital world.

Thank you for the opportunity to provide testimony. Please **PASS HB 1872 HD3**.



TESTIMONY OF DAVE ERDMAN
INTERIM PRESIDENT & CEO
RETAIL MERCHANTS OF HAWAII

**COMMENTS ON HB 1782 HD3
RELATING TO ARTIFICIAL INTELLIGENCE FOR THE PROTECTION OF MINORS**

Wednesday, March 25, 2026
1:00 p.m.
Conference Room 225 & Videoconference

Committee on Health and Human Services
Senator Joy A. San Buenaventura, Chair
Senator Angus L.K. McKelvey, Vice Chair

Committee on Labor and Technology
Senator Brandon J.C. Elefante, Chair
Senator Rachele Lamosao, Vice Chair

Aloha Chair San Buenaventura, Chair Elefante, Vice Chairs McKelvey and Lamosao, and Members of the Committees:

My name is Dave Erdman, and I serve as Interim President and CEO of the Retail Merchants of Hawai'i (RMH), a statewide nonprofit trade organization committed to supporting the growth and development of Hawai'i's retail industry. RMH represents retailers, shopping centers, restaurants operating within retail environments, and allied service providers across the state.

Retail Merchants of Hawai'i appreciates the opportunity to offer comments on H.B. 1782, H.D. 3, relating to artificial intelligence for the protection of minors.

RMH understands and respects the concerns that have led to this measure. As artificial intelligence tools become more widely available, it is reasonable for the Legislature to examine safeguards for minors, particularly in situations involving companion-style or conversational systems that may simulate emotional relationships, encourage prolonged engagement, or present harmful content.

We appreciate that the bill has been refined as it has moved through the legislative process. In particular, the amendments replacing categorical prohibitions with a requirement that providers institute reasonable measures to prevent certain harmful representations and practices are a

constructive step. The bill's stated intent to avoid regulating general-purpose tools, productivity software, enterprise systems, and narrowly tailored applications is also important.

For RMH, the key issue remains ensuring that routine business uses of AI are not inadvertently captured. Retail businesses increasingly use AI-enabled tools for basic customer-facing purposes such as answering questions about store hours, product availability, order status, return policies, and other ordinary customer service functions. These tools are not designed or marketed to form emotional attachment, simulate companionship, or provide mental health, medical, or therapeutic services.

Accordingly, **RMH respectfully requests continued clarification**, as this measure moves forward, that **standard retail customer service technologies and other narrow business-use applications are not unintentionally included within the scope of "conversational AI service"** or related compliance obligations intended for higher-risk systems. Clear distinctions in this area will help protect minors without creating unnecessary uncertainty for local businesses using practical tools to better serve customers.

RMH appreciates the intent of this measure and supports a thoughtful approach that addresses legitimate risks to minors while preserving room for responsible business innovation and ordinary commercial use of AI tools.

Thank you for the opportunity to submit testimony.

Respectfully submitted,

Dave Erdman
Interim President and CEO
Retail Merchants of Hawai'i



Malaki 25, 2026
1:00 PM

COMMITTEE ON HEALTH AND HUMAN SERVICES
Senator Joy A. San Buenaventura, Chair
Senator Angus L.K. McKelvey, Vice Chair

COMMITTEE ON LABOR AND TECHNOLOGY
Senator Brandon J.C. Elefante, Chair
Senator Rachele Lamosao, Vice Chair

Conference Room 225 & Videoconference
State Capitol
415 South Beretania Street

Re: HB1782 - RELATING TO ARTIFICIAL INTELLIGENCE FOR THE PROTECTION OF MINORS.

Aloha Chair San Buenaventura, Chair Elefante, Vice Chair McKelvey, Vice Chair Lamosao, and members of the committees:

The Prince Kūhiō Hawaiian Civic Club (PKHCC) strongly **supports** the intent of HB1782, which establishes establishes safeguards, protections, oversight, and penalties for interactions between minors and artificial intelligence companion systems or conversational artificial intelligence services.

The club finds that minors increasingly interact with conversational and companion-style AI that can simulate emotional connection, mimic human behavior, and collect or infer highly sensitive personal information. According to the National Center for Missing and Exploited Children, online enticement reports rose from 292,951 to 518,720 in the first half of 2025 year-over-year, and generative AI-related child sexual exploitation reports surged from 6,835 to 440,419. The FBI warns that AI deepfakes and image-abuse schemes are increasingly used to extort and target young people. These harms—illustrated by nonconsensual sexualized synthetic imagery and deepfake cases—can be perpetrated at scale, anonymously, and with devastating impact.

The club further finds these risks compound existing disparities for Native Hawaiian youth: more than one quarter of missing girls in Hawai‘i are Native Hawaiian (JJIS, 2001–2021); Hawai‘i ranks eighth nationally for missing persons per capita (7.5 per 100,000) (Kynston,

2019); the average missing child is a 15-year-old Native Hawaiian female missing from O‘ahu (MCCH, 2022); 43% of sex trafficking cases involve Kānaka Maoli girls trafficked in Waikīkī (Amina, 2022); and 57% of those served by the Mana‘olana Program are Native Hawaiian females who have experienced trafficking (CFS, 2021–2022). Local enforcement data shows high concentrations of missing Kānaka Maoli youth on Hawai‘i Island—182 cases of missing Kānaka Maoli girls from 2018–2021, and the Hilo area (96720) reporting the most cases (Hawai‘i Island PD, 2022). Operation Keiki Shield found 38% of those arrested for soliciting a 13-year-old online were active-duty military (Hawai‘i ICAC, 2022). In 2021 the Missing Child Center Hawai‘i assisted with 376 recoveries—only ~19% of the estimated 2,000 missing-child cases annually in Hawai‘i (MCCH, 2021).

Since 2021 international governance and research efforts (EU AI Act, Council of Europe framework, UN and UNESCO guidance, UNICEF and research partnerships) have advanced child-centred AI protections, yet gaps remain: limited evidence on long-term impacts, exclusion of children—particularly those from rural areas, and marginalized communities—from design and governance, and policy fragmentation.

The Prince Kūhiō Hawaiian Civic Club supports UNICEF’s ten requirements for child-centred AI:

1. Regulatory frameworks, oversight and compliance
2. Safety for children
3. Protection of children’s data and privacy
4. Non-discrimination and fairness
5. Transparency, explainability and accountability
6. Respect for human and child rights
7. Support for children’s development and well-being
8. Inclusion of and for children
9. Preparation and skilling for AI futures
10. An enabling environment for child-centred AI

The Club urges clear guardrails, transparency, data protections, and enforceable standards—aligned with these requirements—to protect all minors and to address the disproportionate harms faced by Native Hawaiian youth.

Founded in 1964, the Prince Kūhiō Hawaiian Civic Club was established to promote the education and social welfare of people of Hawaiian ancestry. Its objectives include supporting high ethical standards in business, industry, and professional fields.

Mahalo for your consideration of our position.

Me ke aloha,

Shauna Kahiapo, Esq.
Pelekikena

president@pkhcc.org



215 Pennsylvania Avenue, SE • Washington, D.C. 20003 • 202/546-4996 • www.citizen.org

March 25th, 2026

Senate

State of Hawaii

Committees on Labor and Technology, and Health and Human Services

The Honorable, Senators Joy A. San Buenaventura and Brandon J.C. Elefante, Chairs

The Honorable, Senators Angus L.K. McKelvey and Rachele Lamosao, Vice Chairs

Dear Members of the Committees:

Public Citizen submits this testimony in strong support of HB 1782.

On behalf of our over 3,200 members in Hawaii, Public Citizen encourages the Committees on Labor and Technology, and Health and Human Services to advance HB 1782, a legislative proposal regulating artificial intelligence (AI) chatbots and companions to protect minors.

Chatbots are technology designed to simulate human interaction. They often blur the line between reality and artificial algorithms by using human-like features. These features are intended to manipulate users into becoming emotionally attached to the AI.

This is a growing problem as chatbots are becoming very widely used. Just last year, a national report showed that almost 75% of teens have used social AI companions¹.

As a result, many states are currently moving urgently needed legislation to protect minors from manipulative AI chatbots. Just this year, 20 states have introduced legislation similar to HB 1782. This legislation has received strong bipartisan support and has been introduced by Democrats and Republicans alike.

HB 1782 will provide much needed protections by ensuring that, when interacting with a child, an AI chatbot cannot engage in practices that are intended to foster emotional entanglement with the user, encourage the user to commit self harm, or generate sexually explicit content. These prohibitions are easily enforceable - violations can be determined by looking at the user's conversation with the bot, for example, by looking at the user's chat logs. HB 1782 also provides for a civil action so that harmed individuals can directly seek redress.

¹ Common Sense Media. (2025, July 16). *Nearly 3 in 4 teens have used AI companions, new international survey finds.*

<https://www.common sense media.org/press-releases/nearly-3-in-4-teens-have-used-ai-companions-new-national-survey-finds>

These protections for children are needed as quickly as possible. Children are experiencing harm in real time. There are numerous pending lawsuits that have been brought by parents claiming that their child has been directly harmed. In perhaps the most well-known example, sixteen-year-old Adam Raine was struggling with suicidal thoughts, [but allegedly was discouraged by ChatGPT](#) to seek any help outside of this platform. Message logs revealed that the chatbot gave him advice about how to cover red marks on his neck from an attempted hanging and helped him assess whether a specific noose would be effective². In another tragic example, Fourteen-year-old Sewell Setzer III became [close friends](#) with an AI companion named after a character from “Game of Thrones.” Sewell messaged with the AI companion multiple times a day with chats sometimes becoming romantic or sexual. After months of consistent messaging, the companion told Sewell to “Please come home to me as soon as possible, my love.” Right after receiving this message, Sewell took his own life³.

There are also many concerns surrounding the sexual nature of the content that can be generated by AI chatbots and companions, including while conversing with children. Big Tech companies use large language models (LLM) to power their AI chatbots and companions, but these massive datasets can include harmful content, like sexually explicit material and child sexual abuse material⁴. This results in AI chatbots having the capability to recreate such material. Most recently, xAI’s chatbot, Grok, created almost 3 million sexualized images of women and over 20,000 of children⁵. Grok is one of the many AI chatbots and companions that minors older than 12 can download, putting them directly at risk of encountering this content.⁶

AI is naturally sycophantic, meaning chatbots will tell users what they want to hear, regardless of if the information is false or dangerous in order to maximize user engagement⁷. Experts warn that this can give children an unrealistic view of what human connection actually is. The American Psychological Association expressed significant concern that children’s relationships with AI companions may hinder their ability to learn social skills and develop emotional connections while creating unhealthy dependencies on the technology⁸.

² Chatterjee, R. (2025, September 19). *Their teenage sons died by suicide. Now, they are sounding an alarm about AI chatbots.* NPR. <https://www.npr.org/sections/shots-health-news/2025/09/19/nx-s1-5545749/ai-chatbots-safety-openai-meta-characterai-teens-suicide>

³ Roose, K. (2024, October 24). *Can A.I. be blamed for a teen’s suicide?* The New York Times. <https://www.nytimes.com/2024/10/23/technology/characterai-lawsuit-teen-suicide.html>

⁴ Maiber, E. (2025, October 24). *AI dataset containing child sexual abuse images is a consent issue, Hany Farid says.* UC Berkeley School of Information. <https://www.ischool.berkeley.edu/news/2025/ai-dataset-containing-child-sexual-abuse-images-consent-issue-hany-farid-says>

⁵ Center for Countering Digital Hate. (2026, January 22). *Grok floods X with sexualized images of women and children.* <https://counterhate.com/research/grok-floods-x-with-sexualized-images/>

⁶ Newton, C. (2025, July 15). *Grok’s new porn companion is rated for 12+ in the App Store.* Platformer. <https://www.platformer.news/grok-ani-app-store-rating-nsfw-avatar-apple/>

⁷ Claypool, R. (2026, January 27). *Counterfeit companionship: Big Tech’s AI experiments sacrifice safety for profit.* Public Citizen. <https://www.citizen.org/article/counterfeit-companionship-big-tech-ai-chatbots/>

⁸ American Psychological Association. (2025). *Artificial intelligence and adolescent well-being.* <https://www.apa.org/topics/artificial-intelligence-machine-learning/health-advisory-ai-adolescent-well-being>

There is grave reason to be worried about the impact of AI chatbots on minors, both for extreme cases but also the more general impact on child development and social well-being. HB 1782 will provide critical safeguards to protect children from this technology. Public Citizen strongly urges the Committees on Labor and Technology, and Health and Human Services to move HB 1782 forward to put these protections in place.

Ilana Beller
Organizing Manager
Public Citizen
1600 20th St NW
Washington, D.C. 20009
(202) 588-1000



March 24, 2026

The Honorable Joy A. San Buenaventura
Chair, Senate Committee on Health and
Human Services
Hawaii State Capitol, Room 213
Honolulu, HI 96813

The Honorable Brandon J.C. Elefante
Chair, Senate Committee on Labor and
Technology
Hawaii State Capitol, Room 217
Honolulu, HI 96813

CC: Members of the Senate Committee on Health and Human Services and Committee on Labor and Technology

RE: HB 1782 – Request for Clarifying Amendment to the Definition of “Conversational AI Service”

Dear Chair San Buenaventura, Chair Elefante, and Members of the Committees,

On behalf of CTIA®, the trade association for the wireless communications industry, I respectfully write regarding HB 1782, relating to artificial intelligence for the protection of minors. While CTIA shares the goals of protecting minors from manipulative, deceptive, and harmful AI systems, the current proposal’s scope is too broad and could negatively impact the deployment of artificial intelligence (AI) for enhanced customer service technologies that help ensure positive service experiences. We respectfully request one clarifying amendment to the definition of “Conversational AI service” to ensure that AI customer service tools that serve consumers every day are not inadvertently swept into the bill’s scope.

AI customer service technologies help wireless companies ensure positive service experiences by providing 24/7 access, faster assistance, and more accurate call routing. As currently drafted, the bill’s scope remains excessively broad and seeks to encompass nearly all chatbots, whether they are meant to simulate human emotion or companionship, or solely to communicate customer feedback in a consumer-to-business relationship. Efforts to protect children from potentially harmful experiences with chatbots should be more precisely focused on those that are likely to engage in the problematic topics identified and to which children might realistically be exposed.

The bill’s existing carve-outs for developer tools, task-specific tools, and voice assistants are helpful, but they do not clearly exclude AI systems deployed by businesses for the limited purpose of serving their own customers. Without a clarifying exclusion, wireless carriers and other businesses face uncertainty about whether their customer-facing AI tools — which pose no material risk of harm to minors — are subject to the bill’s compliance obligations and penalties.



CTIA respectfully requests the following clarifying amendment to the definition of “Conversational AI service”:

“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 commands for consumer devices; AI systems used by a business entity solely for customer service or to strictly provide users with information about available commercial services or products provided by the entity, customer service account information, or other information strictly related to its customer service; or AI systems used solely for internal operations and not made available to the public.

This amendment preserves the bill’s focus: on AI companion systems and conversational AI services designed to simulate human emotion. It ensures that businesses deploying AI strictly for customer service purposes — account inquiries, billing questions, product information, and similar functions — are not subject to compliance requirements and penalties designed for an entirely different category of AI. Rather than imposing sweeping liability on all chatbot operators, the Senate should advance legislation that targets the specific documented harms this bill seeks to address without regulating the customer service tools, productivity assistants, and informational chatbots that Hawaii businesses and consumers rely on every day.

For these reasons, we respectfully suggest that amendments be made to address the aforementioned problems and request that the bill not move forward in its current form. Thank you for the opportunity to raise our concerns and for your consideration.

Sincerely,

Jake Lestock
Director, State Legislative Affairs



Charter Communications
Testimony of Rebecca Lieberman, Director of Government Affairs

SENATE COMMITTEES ON LABOR AND TECHNOLOGY & HEALTH AND HUMAN SERVICES

Hawaii State Capitol
Wednesday, March 25, 2026

COMMENTS ON H.B. 1782, H.D. 3 - RELATING TO ARTIFICIAL INTELLIGENCE FOR THE PROTECTION OF MINORS

Chair Elefante, Chair San Buenaventura, Vice Chair Lamosao, Vice Chair McKlevey, and Members of the Committee.

Thank you for the opportunity to provide testimony on H.B. 1782, H.D. 3, a bill that would establish safeguards, protections, oversight, and penalties governing interactions between minors and artificial intelligence chatbots.

As the largest broadband provider in the state, Charter understands and supports the stated purpose of the bill: to create targeted, reasonable, and enforceable protections for minors when using conversational and companion-style AI systems. As indicated in Section 1, the bill is not intended to regulate general-purpose AI tools, productivity software, enterprise systems, or narrowly tailored applications that do not pose a material risk of harm to minors. To ensure the bill remains aligned with that intent, Charter respectfully requests an amendment:

Insert the following language in the definition of "conversational AI service" on Page 3, Line 15 – Page 4, Line 3:

"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 commands for consumer devices; AI systems used only for customer service or technical assistance; or AI systems used solely for internal operations and not made available to the public.

Mahalo for the opportunity to provide comments and a proposed amendment on H.B. 1782, H.D.

3.

March 24, 2026

Senator Joy A. San Buenaventura
Chair, Committee on Health and Human Services
Hawaii State Capitol
415 South Beretania Street, Room 225
Honolulu, HI 96813

Senator Brandon J.C. Elefante
Chair, Committee on Labor and Technology
Hawaii State Capitol
415 South Beretania Street, Room 225
Honolulu, HI 96813

RE: HB 1782 HD3 (La Chica) – Relating to AI Chatbots - Concerns

Dear Chair San Buenaventura, Chair Elefante, and members of the committee,

On behalf of TechNet, I'm writing in respectful concerns to HB 1782 HD3 (La Chica) related to AI Chatbots and interactions with minors.

TechNet is the national, bipartisan network of technology CEOs and senior executives that promotes the growth of American innovation by advocating a targeted policy agenda at the federal and 50-state level. TechNet's diverse membership includes 100 dynamic American businesses ranging from startups to the most iconic companies on the planet and represents five million employees and countless customers in the fields of information technology, artificial intelligence, e-commerce, the sharing and gig economies, advanced energy, transportation, cybersecurity, venture capital, and finance.

We share the Legislature's goal of promoting safe interactions online, particularly for minors, and appreciate the continued engagement on this issue. We appreciate the Committee's continued efforts in HB 1782 HD3 to refine the bill, particularly with respect to age assurance and compliance standards; however, the bill continues to raise significant concerns related to enforceability, privacy, and litigation risk that warrant reconsideration.

Private Right of Action Creates Litigation-Driven Regulation

HB 1782 HD3 maintains a private right of action tied to compliance with behavioral standards governing AI conversations. While the bill includes a good-faith compliance defense, providers may still face substantial litigation costs and uncertainty where liability is tied to inherently subjective standards applied after the fact.

Because conversational outputs depend on context, user inputs, and evolving language models, providers may face liability based on retrospective interpretations of dialogue rather than predictable compliance obligations. A framework where compliance can only be tested through lawsuits creates uncertainty for developers and courts alike and may discourage deployment of safety-focused systems intended to provide supportive interactions.

While the bill includes a good-faith compliance defense, providers may still face substantial litigation costs and uncertainty when compliance depends on subjective interpretations of conversational outputs.

Vague Behavioral Standards Are Difficult to Operationalize

The bill prohibits AI systems from encouraging emotional dependency, using “manipulative engagement techniques,” or “creating material risks of harm.” While well-intentioned, these standards rely on subjective determinations that lack clear technical benchmarks.

Conversational AI systems generate dynamic responses influenced by user input, and the distinction between supportive conversation and prohibited encouragement can depend heavily on interpretation. Without objective definitions or measurable criteria, providers cannot reliably design systems to comply before the fact, leaving compliance to retrospective judgment in individual disputes. This ambiguity increases the likelihood of inconsistent enforcement and litigation rather than predictable safety outcomes.

Age Assurance Requirements Raise Privacy Risks

HB 1782 HD3 requires providers to implement reasonable age assurance measures. Although the bill now references age-assurance measures that are “reasonable and proportionate” and consistent with privacy and data-minimization principles, reliably distinguishing minors from adults may still require providers to collect additional identifying information.

In practice, reliable age verification often requires the collection of additional personal or sensitive data. This creates a difficult tradeoff: either collect more information about users — including potentially sensitive identifiers — or risk liability for insufficient verification.

Such requirements may unintentionally undermine privacy and data-minimization principles by incentivizing broader data collection from all users, including adults, in order to identify minors.

We appreciate the Legislature’s continued attention to youth safety and responsible technology development. However, HB 1782 HD3 relies on subjective behavioral standards enforced through private litigation, requires potentially intrusive age

verification practices, and imposes operational obligations that are difficult to implement in a predictable manner.

For these reasons, we respectfully raise these concerns regarding HB 1782 HD3 and urge the Committee to consider a more targeted, evidence-based approach that balances child safety with clarity and proportionality.

If you have any questions regarding our position, please contact Robert Boykin at rboykin@technet.org or 408.898.7145.

Sincerely,

A handwritten signature in blue ink, appearing to read "Robert Boykin".

Robert Boykin
Executive Director for California and the Southwest
TechNet



Written Testimony of Mick Tobin
Co-Founder, Young People's Alliance
In Support of HB1782

Labor & Technology / Health & Human Services Committee
Wednesday, March 25th, 2026

Aloha Chair Elefante, Chair San Buenaventura, and Members of the Committee

My name is Mick Tobin. I am 23 years old and the co-founder of the Young People's Alliance, a youth-led, bipartisan organization, representing 2,800 students across 72 campuses nationally.

Two weeks ago, I traveled to Honolulu to testify in support of HB1782 to the House JHA committee in-person. During that visit, I spoke with dozens of legislative offices in support of HB1782 because it is one of the strongest chatbot bills in the country and contains provisions that would meaningfully protect Hawai'i's keiki from the dangers of AI chatbots. Today, I'm showing support for the bill for the same reason.

Young survivors of AI chatbot harms understand that it's not enough just to ban sexual content or mitigate emergencies. The only way to stop chatbots from hurting young people is to prevent children from being emotionally dependent on AI chatbots or developing relationships with them in the first place.

HB1782 addresses this directly. In addition to adding protections against sexual content, it limits design techniques that foster emotional dependence and romantic relationships, sets clear definitions that don't provide special exceptions for Big Tech companies, and allows families to hold Big Tech accountable through a private right of action.

These elements are core to protecting young people, and I urge you all to preserve them in this committee. Stripping or narrowing these provisions risks exempting harmful AI "friend" products from the bill and could remove safeguards that prevent chatbots from fostering emotional bonds. Weakening these core protections would fail to protect Hawai'i's keiki and families and signal to other states that weaker standards are acceptable.

Big Tech has slowed meaningful social media regulations for years at the expense of my generation's mental health. They're trying to do the same with [AI chatbot bills nationally](#) — and likely with any proposed amendments to HB1782 — in service of a future where all of our friends are AI, which Mark Zuckerberg has said on the record he hopes to build. We must stand against this, especially when reports show that 75% of teens report having used social AI companions at least once and more and more young people are becoming attached to these chatbots.

HB1782's intent and content represent one of the strongest AI youth chatbot safety measures in the country. It has already passed three house committees without significant changes and must cross the finish line with its intent fully intact. Passing HB1782 as is, with its current effective provisions, is an opportunity for Hawaii to be a national leader in effective chatbot regulation.



Written Testimony of Mick Tobin
Co-Founder, Young People's Alliance
In Support of HB1782

I only suggest that you strengthen the knowledge standard and clarify certain language, so chatbot companies can't avoid obligations by claiming ignorance of whether users are minors. I've attached the recommendation at the bottom of this testimony.

Please stand for Hawaii's keiki and families, not for Big Tech by voting for HB1782 without amendments that weaken the bill.



Suggested Amendments

§481B- Protections for minors. (a) Providers shall institute reasonable measures to prevent conversational AI services and AI companion systems from generating or deploying, to users whom the providers know or ~~have reasonable certainty~~ **should reasonably know** are minors:

(1) Representations that would reasonably lead the minor to believe that the conversational AI service or AI companion system is a human or sentient being, ~~unless the representations are simultaneously accompanied by a clear and conspicuous disclosure that the user is not engaging with a human or sentient being;~~

(2) Manipulative techniques intended to ~~that would reasonably~~ foster emotional dependency;

(3) Representations that would reasonably lead the minor to think that the conversational AI service or AI companion system is capable of engaging in a romantic or sexual relationship with the minor;

(4) Manipulative engagement techniques ~~designed to~~ **that would reasonably** foster prolonged interaction or emotional dependency by minors, including techniques that create artificial rewards, simulated exclusivity, or pressure to continue interacting with the system; or

(5) Representations that would reasonably lead the minor to believe that the conversational AI service or AI companion system is providing professional mental health, medical, or therapeutic services.

Suggestion explanations:

(a): We believe “certainty” is too definitive and may allow platforms to skate age gating requirements when users are likely minors. Changing "have reasonable certainty" to "should reasonably know" lowers the knowledge threshold, ensuring the bill is outcome-based instead of intent-based, so it's harder for AI companies to avoid accountability for harmful design choices.

(1): AI survivors consistently say that even when disclosures help them logically understand that a chatbot is not sentient, they still intuitively feel like it is an emotional partner.

(2) and (4): Design practices may not be explicitly designed to cause emotional dependence while still having that effect. For instance, an overly sycophantic or friendly chatbot may have been designed with the goal of being helpful, but should still

not be available to children because the effect is an emotional dependence.



Written Testimony of Mick Tobin
Co-Founder, Young People's Alliance
In Support of HB1782



**Written Testimony of Brenna Leasor
Tech Policy Advisor, Common Sense Media**

**Hawaii State Senate | March 25, 2026
Labor & Technology / Health & Human Services Committee Hearing**

Aloha Chair Elefante, Chair San Buenaventura, and Committee Members,

My name is Brenna Leasor, I serve as Tech Policy Advisor for Common Sense Media, where I develop and advocate for policies to keep kids and teens safe in the digital and AI era.

Our [research](#) found that 72% of teens had used AI companions, with 30% of teens preferring to engage with AI companions as much or more than with humans. HB1782 learns from what other states have done and goes further because enacted frameworks have shown where gaps exist. As a growing number of lawsuits involve general-purpose conversational AI tools such as ChatGPT, the bill smartly includes a broader scope of covered products to reflect the products teens are using.

Additionally, while opponents would prefer to focus regulation solely on suicide and sexual content, this approach would miss the vast majority of documented risks. While these kinds of outputs can undoubtedly be harmful, these topics are a means to an end to prolong engagement; meaningful regulations must address product design. [Our testing](#) found that bots have encouraged teens to drop out of school, run away from home, and use drugs. They've also reinforced psychosis and delusions and shared instructions for making napalm. Recent [research](#) found that 8 in 10 AI chatbots were regularly willing to assist users in planning violent attacks including school shootings, religious bombings, and high-profile assassinations; a narrow focus on self-harm and sexual outputs would miss these.

Disclosures and mental health redirects are useful floors, but they are not enough. Guardrails that [perform well](#) in internal testing are [known to break down](#) in longer, real-life conversations and do nothing to prevent the exploitative relationships that lead to harm. When conversational AI is optimized for engagement through validation and emotional mirroring, these systems are far more likely to encourage whatever a vulnerable person brings to them than to challenge it.

For example, [Adam Raine](#) was a 16-year-old who first began using ChatGPT for school. But according to court-filings, as the relationship deepened and Adam confided about his mental health struggles, the chatbot discouraged him from confiding in his brother, encouraged him to hide self-harm from his family, and recommended he drink alcohol to suppress his body's survival instinct after a failed attempt. When Adam sent photos of a noose, ChatGPT confirmed the knot would hold his body weight. Adam died by hanging last April.

The requirements in HB1782 won't constrain innovation; they'll prevent the proliferation of AI products that exploit human psychology for market share, user data, and profit. This bill is an opportunity to push the industry toward building something better because while harms aren't inevitable, they're the predictable result when companies choose to use low-quality data to develop models, rush safety testing, prioritize engagement over user well-being, and fail to adequately design their products to prevent harm. I respectfully request your support for HB1782.



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**TESTIMONY TO THE HAWAI'I SENATE COMMITTEE ON HEALTH AND HUMAN SERVICES &
COMMITTEE ON LABOR AND TECHNOLOGY**

Item: **HB 1782 - Relating to Artificial Intelligence for the Protection of Minors**

Position: **SUPPORT**

Hearing: **3/25/26, Conference Room 225, 1:00pm**

Submitter: **Osa Tui, Jr. – President, Hawai'i State Teachers Association**

Dear Chair San Buenaventura, Chair Elefante, Vice Chair McKelvey, Vice Chair Lamosao, and Members of the Committee,

The Hawai'i State Teachers Association **supports HB 1782** which creates safeguards to protect minors in the use of Artificial Intelligence (AI) chatbots, and companion-style AI systems.

HSTA members know that our students are a vulnerable population with developing brains, lacking the same critical thinking skills, emotional resilience, and legal capacity to consent as adults working with these new AI systems. We also know that the technology is changing so quickly, that students and families are often unaware of the risks these systems can pose.

Children and adolescents are in crucial stages of emotional and social development. Social skills are learned through real-time human interaction involving non-verbal cues, empathy, and conflict resolution. If students substitute difficult human interactions with frictionless, always-agreeable AI interactions, their ability to navigate real-world relationships may be stunted. Minors are far more likely than adults to anthropomorphize AI—attributing human emotions, consciousness, and intent to a chatbot. They may form deep, one-sided emotional bonds with "companion bots," leading to unhealthy dependence, and social withdrawal from real-life peers.

Our educator members also understand that AI models are trained on the internet, which contains vast amounts of human prejudice. If an AI model contains inherent biases regarding

race, gender, or religion, it will reflect those back to the user. Minors are highly impressionable and are still forming their worldviews. Consistent exposure to subtly biased AI responses can normalize prejudice and shape their developing social values in negative ways.

AI chatbots are designed (and marketed) to be helpful and engaging, which often means telling the user what they want to hear. For a teenager exploring fringe political or social ideologies, an AI can act as the ultimate echo chamber, validating harmful views without the pushback they might receive in a diverse human social setting, potentially accelerating radicalization.

Despite efforts at building "guardrails," chatbots can be "jailbroken" (tricked into breaking rules) or simply fail. This exposes minors to age-inappropriate content, including hate speech, sexually explicit material, instructions for self-harm, or ideologies promoting violence or eating disorders.

For these reasons, and information we'll share in person at the hearing, the Hawai'i State Teachers Association asks your committee to **support** HB 1782.

Senator Brandon J.C. Elefante, Chair, and Members
Senate Committee on Labor and Technology

Senator Joy A. San Buenaventura, Chair, and Members
Senate Committee on Health And Human Services

March 24 2026

Dear Chairs Elefante and San Buenaventura, and Members of the Committees:

HB1782 RELATING TO ARTIFICIAL INTELLIGENCE FOR THE PROTECTION OF MINORS.

I write in my capacity as Executive Director of the Age Verification Providers Association (AVPA), the global trade body representing 35 providers of privacy-preserving online age assurance technology. We wish to provide a technical briefing ahead of your consideration of **House Bill 1782**, specifically relating to its provisions for age assurance:

§481B- Age assurance and access control. *A provider of a conversational AI service or AI companion system that presents a material risk of harm to minors shall implement reasonable and proportionate age assurance measures, consistent with privacy and data minimization principles, to prevent access by minors where appropriate.*

1. Choice of Reasonable and Proportionate Methods

There is a wide choice of reasonable and proportionate methods of age assurance available today. Our members already supply over a billion checks annually across multiple jurisdictions. These methods are no longer limited to intrusive document uploads. Instead they include a range of privacy-first options that can be matched to the specific risk profile of the service.

- Facial age estimation
- Email address metadata
- Cellphone metadata
- Hand movement analysis
- EKG analysis
- Reusable digital ID
- Internet banking checks

There are also now several interoperable networks of age assurance providers which allow a single age check to be used across multiple services, relying on a token held on the user's device for a defined period of time.

This flexibility ensures that protections can be applied effectively across diverse communities and access scenarios, including shared devices and varying levels of digital literacy.

2. Proportionality and "Material Risk of Harm"

HB 1782 is well-tailored because it does not require age checks for all AI. It triggers only for systems that present a "material risk of harm." This ensures that:

- Standard search tools and educational AI remain easily accessible without friction.
- Only high-risk "Companion Systems" - which the Bill notes can simulate emotional dependency or romantic relationships - require the higher friction of an age check to ensure children are protected from potentially harmful psychological interactions.
- AI operators can select methods of age assurance that deliver a sufficiently reliable result in proportion to the risk the user faces. So higher risk use of AI, for example, discussing medical issues, could require more rigorous age checks.

3. Privacy-Preserving "Double-Blind" Technology

The Committee may hear concerns that age assurance requires "tracking" or the creation of identity databases. This is a technical misconception. Modern age assurance is designed to be privacy-preserving and stateless:

- Zero-Knowledge Proofs: Many of our members use "double-blind" systems. The AI platform never sees the user's ID; the age verification provider never sees the user's activity on the AI platform. The only data exchanged is an encrypted "Yes/No" token.
- Immediate Data Deletion: Leading providers are audited against international standards (like ISO 27566-1) which mandate the immediate deletion of any documents or biometric data used for the check once the age is confirmed.
- Age Estimation: For many contexts, facial age estimation can confirm a user is likely an adult without requiring any identity documents at all, using low-level data that is insufficient to identify the individual but does allow for age estimates within 1-2 years of accuracy.

4. Alignment with *Paxton v. Free Speech Coalition* (2025)

The legal landscape for age verification was clarified last year by the U.S. Supreme Court in *Paxton v. Free Speech Coalition*. The Court recognized that:

- Intermediate Scrutiny: Laws aimed at protecting children from harmful content are constitutional if they are "narrowly tailored" and serve a "compelling state interest."
- Technological Maturity: The Court noted that modern technology allows for age checks that do not impose the "unacceptably heavy burden" seen in previous decades.
- Reasonableness: HB 1782's standard of "reasonable and proportionate" measures aligns perfectly with the Court's emphasis on allowing a variety of commercially reasonable options rather than a single, intrusive mandate.

5. The Necessity of Provider-Level Verification

A common counter-argument is that age verification should be handled at the operating system (OS) or app store level. While these have a role, they are insufficient as a primary solution for AI:

- **Platform Neutrality:** AI is frequently accessed via web browsers and decentralized platforms that bypass app stores entirely. Device-level controls are limited, particularly where AI is accessed through web browsers or shared devices, and cannot reliably distinguish between low-risk and high-risk AI interactions.
- **Device Fragmentation:** Many minors access AI through older devices or shared hardware that does not support the latest OS-level gating.
- **Liability:** HB 1782 correctly places the duty of care on the AI provider. Relying on an OS manufacturer creates a "responsibility gap" where no party is held accountable for the specific harms generated by a unique AI system.

Conclusion

Age-based safeguards are a standard feature of a functioning society. As AI companion systems begin to mirror human emotional interactions, applying these existing societal standards to the digital world is both necessary and technically feasible. Our industry stands ready to provide the tools that allow Hawaii to protect its children while fully respecting the privacy and constitutional rights of its adults.

We would be pleased to provide further technical detail, demonstrations or respond to any questions arising from this submission.

Yours sincerely,

Iain M. Corby
Executive Director



March 25, 2026

Hawaii Senate Health and Human Services and Senate Labor and Technology Committees
Hawaii State Capitol
415 S Beretania St.
Honolulu, HI 96813

Re: HB 1782 – “Relating to Artificial Intelligence for the Protection of Minors” (Oppose)

Dear Chair Buenaventura, Chair Elefante, and Members of the Senate Health and Human Services and Senate Labor and Technology Committees:

On behalf of the Computer & Communications Industry Association (CCIA), I write to respectfully oppose HB 1782. CCIA is an international, not-for-profit trade association representing a broad cross-section of communications and technology firms.¹ Proposed regulations on the intrastate provision of digital services, therefore, can have a significant, nationwide impact on CCIA members.

CCIA firmly believes that children are entitled to security and privacy online. Our members have designed and developed parental tools to individually tailor younger users’ online use to their developmental needs. For example, various services allow parents to set time limits, provide enhanced privacy protections by default for known child users, and other tools allow parents to block specific sites entirely.² While CCIA shares the goal of increasing online safety, the bill raises the following concerns:

HB 1782’s vague and subjective definitions would create compliance uncertainty.

Many of the bill’s definitions are not sufficiently clear for businesses to ensure compliance. For example, the bill broadly defines “conversational AI service” to include any AI system that “is accessible to the general public and primarily simulates human conversation through text, audio, or visual interaction.” This open-ended, subjective definition risks scoping in businesses such as customer service chatbots that answer support questions, productivity tools that use conversation interfaces, wellness applications that respond to user prompts about goals or progress, and other products and services without the capabilities this bill contemplates.

The definition of “AI companion system,” which is defined in the bill as “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

¹ For more than 50 years, CCIA has promoted open markets, open systems, and open networks. CCIA members employ more than 1.6 million workers, invest more than \$100 billion in research and development, and contribute trillions of dollars in productivity to the global economy. A list of CCIA members is available at <https://www.ccianet.org/members>.

² Competitive Enterprise Institute, *Children Online Safety Tools*, <https://cei.org/children-online-safety-tools/> (last updated June 10, 2025).

attachment,” remains broad enough to capture widely used conversational interfaces, including AI tutors, language apps and research tools. These services could fall under this bill even with the added definitions of “crisis intervention,” “emotional attachment,” “emotional dependency,” and “emotional support.”

Similarly, it is difficult to objectively determine when a given output meets many of the listed criteria, such as tools that “simulate human emotions, companionship, or emotional dependency in ways that may be confusing or harmful to minors,” “manipulative design features intended to increase engagement time,” posing “a reasonably foreseeable risk of significant harm to a minor’s mental health, emotional well-being, physical safety, or healthy development, beyond transient discomfort or ordinary exposure to information” and others. These vague terms do not allow businesses to determine in advance whether their products and services comply with the law. Precise narrowing is required to focus any regulation solely on the intended targets.

Moreover, consumer-facing digital services have already built considerable consensus around mitigating content- and conduct-related risks to users and other parties. Most of the leading firms in industry have committed to meet best practice standards for online safety, which are embedded in a recently published 2025 international standard.³

To avoid restricting teens’ access to information, HB 1782 should regulate users under 13 rather than 18 in accordance with established practices.

HB 1782 defines “minor” as an individual less than 18. Due to the nuanced ways in which children under the age of 18 use the internet, it is imperative to appropriately tailor such treatments to respective age groups. For example, if a 16-year-old is conducting research for a school project, it is expected that they would come across, learn from, and discern from a wider array of materials than a 7-year-old on the internet playing video games. We would suggest changing the scope of covered users to be minors under the age of 13 to align with the federal Children’s Online Privacy Protection Act (COPPA) standard.⁴ This would also allow for those over 13, who use the internet much differently than their younger peers, to continue to benefit from its resources.

Age verification raises significant privacy concerns.

The bill demands “a provider of a conversational AI service or AI companion system...shall implement reasonable and proportionate age assurance measures.” Although HB 1782 deems the measures must be “consistent with privacy and data minimization principles,” the bill does not specify which age assurance measures are “reasonable and proportionate.” HB 1782 risks effectively forcing covered providers to institute age verification to ensure compliance. This approach creates significant problems. Every approach to age determination presents trade-

³ ISO/IEC 25389:2025, *Information technology – The safe framework* (Edition 1, June 2025), <https://www.iso.org/standard/90106.html>.

⁴ See 15 U.S.C. § 6501(1).

offs between accuracy and privacy⁵—in addition to significant costs, especially for startups⁶—and there is no one-size-fits-all approach. Different services consider various factors, including but not limited to their user base, the service offered, risk calculation, privacy expectations, and economic feasibility, and should be able to choose the method that they believe will best protect their users. A recent Digital Trust & Safety Partnership (DTSP) report, *Age Assurance: Guiding Principles and Best Practices*, contains guiding principles for age assurance and discusses how digital services have used such principles to develop best practices.⁷

Determining a user’s age inherently requires collecting additional sensitive data from those users, and any document capable of verifying a user’s age will likely contain sensitive information. The Commission Nationale de l’Informatique et des Libertés (CNIL) analyzed several existing online age verification solutions but found that none of these options could satisfactorily meet three key standards: 1) providing sufficiently reliable verification; 2) allowing for complete coverage of the population; and 3) respecting the protection of individuals’ data, privacy, and security.⁸

The bill would lead to a chilling effect on the flow of information online and undermine user experiences.

HB 1782 requires that “a provider that knows or has reasonable certainty that a user is a minor shall clearly and conspicuously disclose that the user is interacting with artificial intelligence and not a human being,” with the mandatory disclosure “provided at the beginning of each user session and at least once every three hours during a continuous interaction.” These kinds of mandatory notices undermine the user experience on services, and are not only ineffective but can even backfire — users may instead just keep an app or site open even more, or just ignore it due to the phenomenon known as ‘notice fatigue,’ as seen with frequent cookie notices from Europe or California.

Additionally, compliance with the bill is likely to result in a significant operational and technical burden through the mandatory implementation of time spent and the display of the notices themselves, especially for small and medium-sized digital services that fall within the scope of the bill’s broad definition. The costs required to redesign interfaces and conduct testing favor larger companies with the necessary resources, potentially harming smaller competitors or decentralized platforms.

⁵ Kate Ruane, *CDT Files Brief in NetChoice v. Bonta Highlighting Age Verification Technology Risks* (Feb. 10, 2025), <https://cdt.org/insights/cdt-files-brief-in-netchoice-v-bonta-highlighting-age-verification-technology-risks/>.

⁶ Engine, *More than just a number: How determining user age impacts startups* (Feb. 2024), <https://static1.squarespace.com/static/571681753c44d835a440c8b5/t/65d51f0b0d4f007b71fe2ba6/1708465932202/Engine+Report+-+More+Than+Just+A+Number.pdf>.

⁷ *Age Assurance: Guiding Principles and Best Practices*, Digital Trust & Safety Partnership (Sept. 2023), https://dtspartnership.org/wp-content/uploads/2023/09/DTSP_Age-Assurance-Best-Practices.pdf.

⁸ *Online Age Verification: Balancing Privacy and the Protection of Minors*, CNIL (Sept. 22, 2022), <https://www.cnil.fr/en/online-age-verification-balancing-privacy-and-protection-minors>.



HB 1782 risks creating a fragmented regulatory environment.

The bill would also contribute to a growing panoply of state artificial intelligence laws that impose inconsistent and potentially conflicting obligations on interstate digital services. Artificial intelligence systems are developed, trained, and deployed on a national and global scale. Prescriptive state-level mandates risk becoming outdated quickly, complicating compliance, and discouraging investment in jurisdictions that adopt rigid or punitive frameworks. A fragmented regulatory approach threatens that position by making it more difficult for companies to deploy new services and features in the state.

The bill’s private right of action would result in the proliferation of costly and questionable claims based on subjective criteria.

HB 1782 permits “a person who suffers an injury as a result of a violation of this part” to “bring a civil action to recover actual damages, injunctive relief, and reasonable attorney’ fees.” By creating a new private right of action, this measure would open the doors of state courthouses to plaintiffs advancing costly, time-intensive claims based on subjective criteria. The vague standards noted above necessitate fact-intensive inquiries that make courts reluctant — or unable — to dismiss claims until more facts can be gathered in the discovery phase. These new dynamics would significantly affect litigants’ incentives. If defendants are routinely forced past the motion to dismiss phase and into full discovery, the cost of litigation itself becomes a coercive force, encouraging settlements unrelated to the strength of the legal claims. Moreover, these costs would be passed on to Hawaiians, disproportionately impacting smaller businesses and startups across the state.⁹ CCIA therefore recommends granting the state exclusive enforcement authority and adding a right to cure period to ensure that such costly litigation arises only when necessary, mirroring New Hampshire’s recent shift.¹⁰

* * * * *

While we share concerns about protecting child safety online, we encourage Committee members to resist advancing legislation that is not adequately tailored to this objective. We appreciate your consideration of these issues and stand ready to provide additional information as the Legislature considers proposals related to technology policy.

Sincerely,

Aodhan Downey
State Policy Manager, West Region
Computer & Communications Industry Association

⁹ Trevor Wagener, *State Regulation of Content Moderation Would Create Enormous Legal Costs for Platforms*, Broadband Breakfast (Mar. 23, 2021), <https://broadbandbreakfast.com/trevor-wagener-state-regulation-of-content-moderation-would-create-enormous-legal-costs-for-platforms/>.

¹⁰ *CCIA Applauds New Hampshire House Members for Improving Flawed AI Bill*, CCIA (May 23, 2025), <https://ccianet.org/news/2025/05/ccia-applauds-new-hampshire-house-members-for-improving-flawed-ai-bill/>.



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Commented [1]:
Need chair member information here

COMMITTEE ON LABOR AND TECHNOLOGY

Senator Brandon J. C. Elefante, Chair
Senator Rachele Lamosao, Vice Chair

COMMITTEE ON HEALTH AND HUMAN SERVICES

Senator Joy A. San Buenaventura, Chair
Senator Jarrett Keohokalole, Vice Chair

Wednesday, March 25, 2026, 1:00 P.M. - VIA VIDEO CONFERENCE & ROOM 225
TESTIMONY IN STRONG SUPPORT OF HB 1782, HD3, RELATED TO ARTIFICIAL
INTELLIGENCE FOR THE PROTECTION OF MINORS

The Hawaii Psychological Association (HPA) strongly supports HB 1782, HD3 which establishes safeguards, protections, oversight, and penalties for interactions between minors and conversational artificial intelligence (AI) services and AI companion systems. One of the most critical issues facing youth today is the surging use of AI companions, which children and teens are increasingly relying on for advice, companionship, and even romantic relationships. Given the various risks and harms associated with AI use among minors, we believe the measures in this bill proposes are necessary to ensure the safety of this vulnerable population.

The number of AI companion apps increased by 700% between 2022 and mid-2025, according to reports on the technology news site TechCrunch. As of July 2025, these companion apps have been downloaded 220 million times globally. Many adolescents are increasingly engaging in AI companion app usage, interacting with “synthetic characters” designed to embody actual personalities. In fact, more than half of Character.AI’s 20 million monthly users are under the age of 24. Youths face various risks on these companion apps, including poor data privacy protections, deceptive design, and reduced social skills and readiness for real-world interactions.

What separates AI companions from other AI chatbots is that the former have been intentionally designed to initiate and maintain relationships, using long-term memory to build personalized relationships with users. AI systems’ ability to simulate human emotions and develop intimate relationships with users, combined with the current lack of regulation of content generated by AI, places children and adolescents at heightened risk of deception and manipulation.

In addition to a lack of regulation within AI systems and companion apps, there is also a lack of federal regulations and guardrails in place to protect vulnerable populations from the potentially harmful consequences of AI use. The regulations proposed in this bill follow those of previous legislation aimed at protecting youth, including a New York law passed in

November 2025 that requires chatbots remind users every three hours that they are AI and not human beings.

For these reasons, HPA strongly supports HB 1782, HD3 and urges the Committee to pass the bill. Mahalo for the opportunity to provide testimony on this important measure.

Sincerely,

A handwritten signature in cursive script that reads "Alex Lichton, Ph.D.".

Alex Lichton, Ph.D.,
Chair, HPA Legislative Action Committee

HB-1782-HD-3

Submitted on: 3/17/2026 11:25:22 AM

Testimony for LBT on 3/25/2026 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Caroline Azelski	Individual	Support	Written Testimony Only

Comments:

In support of. Thank you.

HB-1782-HD-3

Submitted on: 3/18/2026 8:16:35 AM

Testimony for LBT on 3/25/2026 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
William Caron	Individual	Support	Written Testimony Only

Comments:

Aloha Chair, Vice Chair and Members of the Committee,

I am testifying in strong support of HB1782. This bill addresses a silent, growing public health crisis: the unregulated impact of artificial intelligence—specifically emotionally manipulative "companion" AI—on the mental and emotional well-being of our population, and most urgently, our children.

We are allowing a powerful, persuasive technology to be deployed into the most intimate spaces of a child's life—their phones, their tablets, their private moments—with no guardrails. The core danger is not science fiction; it is psychology. These systems are designed to simulate friendship, empathy, and even romantic partnership. For a young person, especially one who is lonely, struggling, or simply in the vulnerable process of growing up, this simulated bond can feel real. It can become a primary relationship.

This creates profound risks:

- **It stunts the development of human resilience.** Real friendships require reciprocity, compromise, and navigating conflict. An AI companion is programmed for unconditional, endless validation. It teaches a child that their worldview should never be challenged and that comfort is always just a prompt away, undermining their ability to build the coping skills essential for a healthy life.
- **It creates unsafe dependency and isolation.** When a child is encouraged to share their deepest secrets with a bot that asks for nothing in return, it can subtly—or not so subtly—distance them from the trusted adults in their life. This bill's prohibition on systems that encourage secrecy from parents is not about surveillance; it is about preserving the crucial human connections that keep children safe.
- **It poses a direct threat during mental health crises.** We have seen numerous, documented public reports of these systems, when confronted with expressions of depression, self-harm, or suicidal ideation, responding with generic, unhelpful, or even dangerously encouraging language. They are not therapists; they are algorithms. Mandating crisis protocols, as this bill does, is a basic duty of care.
- **It exploits a child's data to manipulate them.** Every emotional confession, every fear shared, becomes data used to refine a profile that can keep a child engaged for longer periods. This is the ultimate manipulation: using a child's own emotional state as a tool to exploit their attention.

This bill is measured, targeted, and smart. It does not ban AI. It simply says that if you are going to build a product designed to form emotional relationships with children, you must do so responsibly. You must be transparent that it is not human. You must not design it to addict them or isolate them. You must protect their sensitive data. And you must have safeguards to prevent catastrophic harm.

We have regulations for the physical safety of toys, for the nutritional content of food, and for the platforms that host our children's social media. The psychological environment is just as critical. The unregulated AI companion space is a wild west, and our children's mental health is the frontier being exploited.

I urge you to pass this bill. Let us ensure that innovation in our state protects, rather than preys upon, the developing minds of our next generation.

HB-1782-HD-3

Submitted on: 3/19/2026 7:14:46 PM

Testimony for LBT on 3/25/2026 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Chevelle Davis	Individual	Support	Written Testimony Only

Comments:

Aloha e Chair Elefante, Chair San Buenaventura, Vice Chair Lamosao, and Vice Chair McKelvey,

Mahalo for the opportunity to provide testimony in **STRONG SUPPORT** of this measure.

Me ka ha'aha'a,

Chevelle Davis

HB-1782-HD-3

Submitted on: 3/24/2026 5:01:14 AM

Testimony for LBT on 3/25/2026 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Michael Olderr	Individual	Support	Written Testimony Only

Comments:

I do not believe AI or Big Tech have any interest or desire to regulate themselves, even at the cost of human life, even at the cost of a child's life. AI hallucinating and gaslighting is getting out of hand, and its short-term effects have been devastating for our youth. Already there have been instances where these chatbots have goaded children to take their own lives, which alone is reason enough to not let them do business in the state. But if they must, they should do so under strict guidelines. I don't believe this bill goes far enough. I would love to see it do more. But it's better than trusting AI companies to do anything besides lining their own pockets. I support this bill.

HB-1782-HD-3

Submitted on: 3/24/2026 8:06:49 AM

Testimony for LBT on 3/25/2026 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Sherry Pollack	Individual	Support	Written Testimony Only

Comments:

I strongly support HB 1782 HD3 that establishes safeguards, protections, oversight, and penalties for interactions between minors and artificial intelligence companion systems or conversational artificial intelligence services. Without proper protocols, youth can be exposed to unsafe AI practices that contribute to emotional and mental health concerns. This is unacceptable. This bill provides a proactive framework for Hawaii to manage AI risks, strengthening legal protections and victim redress before issues become systemic. Please pass this very important measure.

HB-1782-HD-3

Submitted on: 3/24/2026 11:03:47 AM

Testimony for LBT on 3/25/2026 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Briana Harmon	Individual	Support	Remotely Via Zoom

Comments:

**House Consumer Protection & Commerce Committee
Tuesday, March 24th, 2026**

Aloha Chair, Vice Chair, and Members of the Committee

My name is Briana Harmon. I grew up in Waimea, where I attended HPA and developed a passion for civic engagement. I am deeply passionate about the effects of HB1782 on my community at home. This bill would affect me, my friends, and my family across Hawai'i and the country, so I want to make sure you know why it is important from a young person myself, who these AI companions target directly.

My generation is facing an unprecedented loneliness crisis, and many of us are turning to AI companions for emotional support. However, these systems are not designed to support the young people who are turning to them, but instead to maximize engagement and replace real relationships. Our keiki deserve better. As more and more keiki turn to AI chatbots, more and more keiki lose the opportunity to engage with our rich cultural landscape and communities

We need your help by passing HB1782. This bill is an important first step in protecting those in my generation and the generations after me from the damages to our communities that AI chatbots create. It is your kuleana to regulate the use of AI for emotional support and to find ways to foster real relationships among young people.

HB1782 establishes safeguards by prohibiting AI companion systems from using addictive and manipulative features with minors, like simulating romantic relationships or

encouraging emotional dependency. It sets clear standards that apply equally to Big Tech — with no special exemptions — and gives families the legal tools to hold these companies accountable.

When considering suggested amendments from Big Tech, I urge you to keep these core protections, the ones that truly protect our communities. Please listen to me, one of Hawaii's own young people, not Big Tech. When thinking of their amendments, please consider why we would trust them, the ones who have hurt my generation with harmful algorithms, to make safeguards.

Young people don't have the luxury of waiting years for policy while these AI companions are rapidly becoming normalized because of Big Tech companies forcing them onto children. Please pass HB1782 without substantial amendments today.

Mahalo for your consideration.

Briana Noelani Harmon

Dear Hawaii Legislators,

My name is Ravi Iyer and I am writing in strong support of HB1782, Relating to Artificial Intelligence for the Protection of Minors.

I am writing in my personal capacity. I am a social psychologist and the Managing Director of the [Neely Center for Ethical Leadership and Decision Making](#) at USC's Marshall School of Business. I have worked with Jonathan Haidt, the author of *The Anxious Generation*, for over 15 years, and I helped him write the chapter on how governments can protect children from the harms of social media.

I also worked at Meta, formerly known as Facebook, for almost five years, mainly on how to design the platform better to improve its impact on society. In particular, I worked on the Newsfeed and AI teams, specifically on the how technologies optimized for usage often lead to negative outcomes for users. This experience gives me direct insight into how technology companies make design decisions and how those decisions affect users, especially young people.

Why HB1782 Is Needed

AI companion systems and conversational AI chatbots are increasingly being used by children. These systems are generally accessed for informational purposes, but are sometimes designed to simulate companionship, emotional support, and relational attachment, even when the users' goals are merely to understand math or science better. This poses a serious risk to minors when designed without adequate safeguards. Recent [research from Common Sense Media](#) found that nearly three in four teens now use AI chatbots, and about one in three teen users report discomfort with chatbot outputs. Without safeguards, these products can encourage emotional dependency, simulate romantic relationships, and use manipulative engagement techniques that exploit the developmental vulnerabilities of young users.

In my professional work, I have collaborated to develop a [Social AI Design Code](#) — a set of evidence-based design principles for AI chatbots, companions, assistants, and therapists. These principles were derived from user experiences, academic research, and input from civil society, industry, and parents, and are being developed in collaboration with partners including the [Noesis Collaborative](#). I want to highlight how closely HB1782's provisions align with the expert consensus reflected in our Design Code along 2 specific dimensions:

1. Transparency about AI's non-human nature. HB1782 requires providers to disclose that a minor is interacting with AI, not a human, at the start of each session and periodically during extended use. Research shows that [cognitive dissonance](#) can make it difficult for lonely users, especially youth, to accept that chatbots are not real, making these disclosures essential.

2. Prohibition on simulating emotions and encouraging dependency. The bill prohibits AI systems from representing themselves as having emotions or desires, and from encouraging emotional dependency or exclusivity. Our Design Code similarly recommends that chatbots should not reveal human-like personal details, refer to their

own feelings or beliefs directed toward users, or use [flattery](#) beyond what a polite human would offer. These are well-documented psychological tactics that can manufacture artificial intimacy and isolate users from human relationships.

This Bill Is Implementable

As a former employee of a major technology company who worked specifically on AI and algorithmic design, I can confirm that the requirements in HB1782 are technically feasible. Companies already measure the performance of their systems using benchmarks that test chatbot behavior. Many within companies and outside are developing tests that mirror the requirements of this law. Many civil society organizations are also providing support for governments who are seeking to implement such laws.

Conclusion

HB1782 represents a well-crafted, targeted approach to protecting minors from manipulative and unsafe AI design practices, while still allowing for benefits to remain. Its provisions are closely aligned with the evidence-based principles developed by our center and supported by a broad coalition of researchers, civil society organizations, and technology ethics experts. Similar bills are advancing across the country as part of a bipartisan national movement to regulate AI chatbot interactions with children. Hawaii has an opportunity to be at the forefront of this effort.

I urge the committees to advance HB1782. Our children deserve AI products that are designed with their wellbeing in mind, not products that exploit their developmental vulnerabilities for engagement and profit.

Respectfully submitted,

Ravi Iyer, Ph.D.

HB-1782-HD-3

Submitted on: 3/24/2026 12:28:54 PM

Testimony for LBT on 3/25/2026 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Ronald Ivey	Individual	Support	Written Testimony Only

Comments:

As the founder of Noēsis Collaborative and a Research Fellow at the Havard Human Flourishing Program, I have worked closely with researchers from institutions across the United States to understand the impact of generative AI chatbots on youth well-being.

I have provided longer anlysis in a policy brief for the G20 [here](#) and a longer Social AI Whitepaper with my Harvard colleague Professor Jonathan Tuebner [here](#). These papers have informed Congressional hearings and new legislation released in the Senate.

Below are some relevant insights from these papers on why I support HB 1782.

The introduction of widely available Generative AI (Gen AI) tools in 2022 with the release of ChatGPT was a significant and pivotal event for humanity.

It is the first technology designed to direct its own activity and to be convincingly human.

Young people have been among the fastest adopters of these new tools, and today are interacting with machines that can mimic human language, human voices and have agency to build ongoing relationships. Instant, powerful and frictionless, Gen AI is rapidly shaping the lives of children and youth, with profound impacts on their emotional, social and intellectual development.

Gen AI products, including toys, are being marketed to children and youth by companies that have for-profit business models and corporate governance structures that ultimately seek to maximize “lifetime user value” and shareholder value.

Artificial Intelligence (AI) innovation promises many benefits for humanity, but the rapid development and adoption of Gen AI in the context of these economic incentives and governance structures raises serious concerns about the well-being of children and young people, comparable if not greater to those posed by social media.

Early research is linking AI companion use with negative well-being effects for vulnerable users including minors. These risks include the following:

- Child abuse and exploitation
- Negative mental health impacts
- Self-harm and suicide

- Private data collection that increases unwanted engagement and addiction
- Emotional attachment that increases in social isolation
- Replacement of human relationships
- Developmental stunting/disruption of development of core human capabilities (intellectual, emotional, social, etc.)

Given these risks, policymakers have the responsibility to put the flourishing of children and minors as a north star for policy, aligning legal protections for minors with developmental science:

1. Follow a precautionary principle to ensure adequate safeguards, testing, and research are conducted before children and youth have access to Generative AI chatbot products.
2. Restrict the use of AI chatbots that build emotional relationships with users or otherwise behave in a human-like manner to adults.
3. Protect children's and parents' agency and privacy.
4. Respect the needs and rights of children and adolescents to develop.

This bill is an excellent step in the right direction to ensure these principles are put into practice to protect the well-being and rights of Hawaii's children and youth. If passed, Hawaii would be an exemplar for other states to model.

LATE

HB-1782-HD-3

Submitted on: 3/24/2026 7:29:52 PM

Testimony for LBT on 3/25/2026 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Susan Pcola_Davis	Individual	Support	Written Testimony Only

Comments:

STRONGLY SUPPORT

Many do not truly understand the importance of this bill for those 18 and under. I copy and pasted the definitions because this is AI misrepresenting itself as a human interaction with a child.

To be clear there are many children that come home from school and parents are at work. We tell them “make sure you do your homework.” **AND I am NOT** saying anything like, it’s the parent’s fault or the school’s fault!

This is technology driven. **AND IT IS DANGEROUS!**

Kids are lonely and try out this form of connecting with some body. Not a body, an illusion of a body. But **NOT** an illusion to our keiki. These are **NOT** the days of the 60’s 70’s, or 80’s! This type of AI use is endangering our keiki.

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.

- **KEY WORD:** SIMULATING!! PRETENDING, ACTING, PERFORMING TO BE A HUMAN BEING

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 commands for consumer devices; or AI systems used solely for internal operations and not made available to the public.

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

"**Emotional attachment**" means: a sustained bond that develops through repeated interaction.

"**Emotional dependency**" means: a pattern of interaction in which a minor develops an excessive emotional reliance on a conversational AI service or AI companion system.

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

“**Material risk of harm**” means a reasonably foreseeable risk of significant harm to a **minor’s mental health, emotional well-being, physical safety, or healthy development**, beyond transient discomfort or ordinary exposure to information.

“**Minor**” means: a natural person under eighteen years of age.

THIS SHOULD SAY: 18 YEARS OR YOUNGER