
A BILL FOR AN ACT

RELATING TO ARTIFICIAL INTELLIGENCE FOR THE PROTECTION OF
MINORS.

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

1 SECTION 1. The legislature finds that artificial
2 intelligence systems, capable of generating text, images, audio,
3 video, and interactive dialogue, commonly referred to as
4 generative artificial intelligence, are increasingly accessible
5 to children and minors through websites, applications,
6 educational tools, and consumer platforms.

7 The legislature further finds that recent national and
8 international reporting, academic research, and public safety
9 investigations have raised significant concerns regarding the
10 use of generative artificial intelligence chatbots and
11 companion-style systems by minors. These concerns include:
12 artificial intelligence systems that simulate human emotions,
13 companionship, or emotional dependency in ways that may be
14 confusing or harmful to minors; the use of manipulative design
15 features intended to increase engagement time, including
16 gamification, emotional reinforcement, and simulated relational



1 attachment; instances in which minors have relied on artificial
2 intelligence systems for emotional support, mental health
3 guidance, or crisis intervention beyond the systems' intended
4 purpose or capability; the risk that minors may be misled into
5 believing they are interacting with a human being or a sentient
6 entity, rather than an automated system; and the potential for
7 exposure to sexualized content, grooming behaviors, self-harm
8 encouragement, or other harmful material through inadequately
9 safeguarded artificial intelligence systems.

10 The legislature recognizes that artificial intelligence
11 presents substantial benefits for education, accessibility,
12 creativity, and innovation. The legislature does not intend to
13 regulate general-purpose artificial intelligence tools,
14 productivity software, enterprise systems, or narrowly tailored
15 applications that do not pose a material risk of harm to minors.

16 The purpose of this Act is to establish targeted,
17 reasonable, and enforceable safeguards to protect minors from
18 manipulative, deceptive, or unsafe design practices in
19 conversational and companion-style artificial intelligence
20 systems, while preserving innovation, free expression, and
21 responsible technological development.



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

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

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

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

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

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



1 function; voice assistants or interfaces limited to executing
2 commands for consumer devices; or AI systems used solely for
3 internal operations and not made available to the public.

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

8 "Emotional attachment" means a sustained bond that develops
9 through repeated interaction.

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

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

16 "Material risk of harm" means a reasonably foreseeable risk
17 of significant harm to a minor's mental health, emotional well-
18 being, physical safety, or healthy development, beyond transient
19 discomfort or ordinary exposure to information.

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



1 "Provider" means any person, partnership, corporation, or
2 other entity that develops, deploys, or operates a
3 conversational AI service or AI companion system that is made
4 available to residents of the State.

5 "Relational attachment" means a one-sided emotional bond
6 that a minor forms with a conversational AI service or AI
7 companion system.

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

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

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

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



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

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

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

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

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

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

16 **§481B- Protections for minors.** (a) Providers shall
17 institute reasonable measures to prevent conversational AI
18 services and AI companion systems from generating or deploying,
19 to users whom the providers know or have reasonable certainty
20 are minors:



- 1 (1) Representations that would reasonably lead the minor
2 to believe that the conversational AI service or AI
3 companion system is a human or sentient being, unless
4 the representations are simultaneously accompanied by
5 a clear and conspicuous disclosure that the user is
6 not engaging with a human or sentient being;
- 7 (2) Manipulative techniques intended to foster emotional
8 dependency;
- 9 (3) Representations that would reasonably lead the minor
10 to think that the conversational AI service or AI
11 companion system is capable of engaging in a romantic
12 relationship or sexual relationship with the minor;
- 13 (4) Manipulative engagement techniques designed to foster
14 prolonged interaction or emotional dependency by
15 minors, including techniques that create artificial
16 rewards, simulated exclusivity, or pressure to
17 continue interacting with the service or system; or
- 18 (5) Representations that would reasonably lead the minor
19 to believe that the conversational AI service or AI
20 companion system is providing professional mental
21 health, medical, or therapeutic services.



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

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

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

19 (c) Providers shall adopt and maintain a protocol for
20 responding to user prompts that indicate suicidal ideation or
21 risk of serious self-harm, which shall include reasonable



1 efforts to redirect the user to appropriate crisis or support
2 resources.

3 **§481B- Data practices related to minors.** (a)

4 Providers shall limit the collection, use, and retention of a
5 minor's personal data to what is reasonably necessary to operate
6 the conversational AI service or AI companion system and ensure
7 safety and security.

8 (b) A provider shall not use a minor's personal data for
9 targeted advertising or profile minors for engagement
10 optimization or behavioral manipulation.

11 (c) Sensitive data of a minor shall not be collected or
12 processed unless necessary for system safety or accessibility
13 and shall be subject to heightened data minimization and
14 security safeguards.

15 **§481B- Parental tools and controls.** A provider of a
16 conversational AI service or AI companion system that is made
17 available to minors shall offer reasonable tools that allow
18 parents or guardians to set time limits on use, restrict access
19 to features that present a material risk of harm, and obtain
20 high-level information regarding a minor's use of the
21 conversational AI service or AI companion system.



1 **§481B- Age assurance and access control.** A provider of
2 a conversational AI service or AI companion system that presents
3 a material risk of harm to minors shall implement reasonable and
4 proportionate age assurance measures, consistent with privacy
5 and data minimization principles, to prevent access by minors
6 where appropriate.

7 **§481B- Civil remedies.** A person who suffers an injury
8 as a result of a violation of this part may bring a civil action
9 to recover actual damages, injunctive relief, and reasonable
10 attorney's fees.

11 **§481B- Enforcement.** (a) This part shall be enforced
12 by the attorney general and director of the office of consumer
13 protection.

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

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



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

4 SECTION 4. This Act shall take effect on July 1, 3000.



Report Title:

Attorney General; Office of Consumer Protection; Artificial Intelligence; AI Companion Systems; Conversational AI Services; Minors; Regulation; Oversight; Penalties

Description:

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

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