
A BILL FOR AN ACT

RELATING TO ARTIFICIAL INTELLIGENCE.

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

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

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

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



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

13 The legislature further finds that other states have
14 successfully pursued legal avenues to hold technology companies
15 accountable for the addictive design features of their products
16 that can expose minors to harm, including social media
17 platforms. In March, 2026, a jury found Meta liable for
18 misleading consumers about the safety of its platforms and
19 endangering children in the *State of New Mexico v. Meta*
20 *Platforms, Inc.* trial. The evidence presented at trial showed
21 that Meta intentionally makes the design of its platforms



1 addictive for young people and can expose them to dangerous
2 content related to sexual exploitation, eating disorders, and
3 self-harm. The jury ordered Meta to pay \$375 million in civil
4 penalties for violating New Mexico's consumer protection laws.

5 The legislature recognizes that as an emerging technology,
6 efforts to regulate artificial intelligence should balance
7 consumer protection and privacy and proactively avoid the
8 mandatory collection of data by technology companies such as
9 identity documentation for age verification purposes. The
10 legislature further finds that appropriate legislation is
11 necessary to protect the State's consumers, particularly minors,
12 from the dangers of generative artificial intelligence chatbots
13 and companion-style systems.

14 Accordingly, the purpose of this Act is to establish a
15 framework of targeted, reasonable, and enforceable safeguards to
16 protect consumers and minors from manipulative, deceptive, or
17 unsafe design practices in conversational and companion-style
18 artificial intelligence systems.

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



1 "§481B- Artificial intelligence; AI companion;
2 disclosures; reports; penalties. (a) If a reasonable person
3 interacting with an AI companion would be led to believe that
4 the person is interacting with a human, an operator shall issue
5 a clear and conspicuous notification indicating that the AI
6 companion is artificial intelligence and not human.

7 (b) If an operator has actual knowledge or reasonable
8 certainty that a user is a minor, the operator shall clearly and
9 conspicuously disclose to the user that the user is interacting
10 with artificial intelligence:

11 (1) As a persistent visible disclaimer; or
12 (2) Both:

13 (A) At the beginning of each session; and
14 (B) Appearing at least once per hour in a continuous
15 AI companion interaction that reminds the user to
16 take a break from the chat and that the
17 conversation is artificially generated and not
18 with a human.

19 (c) An operator shall:
20 (1) Adopt a protocol for the AI companion to respond to
21 user prompts regarding suicidal ideation or self-harm



- 1 that includes but is not limited to making reasonable
2 efforts to provide a response that refers the user to
3 crisis intervention service providers, such as a
4 suicide hotline, crisis text line, or other
5 appropriate crisis services;
- 6 (2) Use evidence-based methods for measuring suicidal
7 ideation and the risk of self-harm;
- 8 (3) Not cause or program an AI companion to make any
9 representation or statement that indicates that the AI
10 companion is designed to provide professional mental
11 or behavioral health care;
- 12 (4) Institute reasonable measures to prevent the AI
13 companion from making any representation or statement
14 that would lead a reasonable person to believe that
15 the person is interacting with a human where the user
16 is seeking or receiving crisis intervention services
17 for self-harm or suicide; and
- 18 (5) Institute reasonable measures to prevent the AI
19 companion from generating outputs that encourage the
20 user to cause serious bodily injury to another person.



1 (d) Where an operator knows or has reasonable certainty
2 that a user is a minor, an operator shall:

3 (1) Not provide the user with points or similar rewards at
4 unpredictable intervals with the intent to encourage
5 increased engagement with the AI companion;

6 (2) Not allow the AI companion to generate outputs to
7 discourage disengagement with the AI companion;

8 (3) Institute reasonable measures to prevent the AI
9 companion from:

10 (A) Producing visual material of sexually explicit
11 conduct;

12 (B) Generating direct statements that the user should
13 engage in sexually explicit conduct; or

14 (C) Generating statements that sexually objectify the
15 user; and

16 (4) Make tools available for users and their parents and
17 guardians to manage the user's screen time and account
18 settings.

19 (e) Beginning January 1, 2028, an operator shall submit to
20 the behavioral health administration of the department of health
21 an annual report that includes:



- 1 (1) The number of times an operator has issued a crisis
2 intervention services provider referral in the
3 preceding calendar year;
- 4 (2) Protocols put in place to detect, remove, and respond
5 to user prompts regarding suicidal ideation or self-
6 harm; and
- 7 (3) Protocols put in place to prohibit an AI companion
8 response promoting suicidal ideation or actions or
9 self-harm;
- 10 provided that the report shall include only the information
11 listed in this subsection and shall not include any identifiers
12 or personal information about users.
- 13 (f) Any violation of this section shall constitute an
14 unfair or deceptive act or practice in the conduct of trade or
15 commerce within the meaning of section 480-2; provided that
16 nothing in this section shall be interpreted as creating a
17 private right of action to enforce this section or to support a
18 private right of action under any other law.
- 19 (g) This section shall not create liability for the
20 developer of an artificial intelligence model for any violation



1 of this section by an artificial intelligence system developed
2 by a third party to provide an AI companion.

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

8 (i) For the purposes of this section:

9 "AI companion" means a system using artificial
10 intelligence, generative artificial intelligence, or emotional
11 recognition algorithms designed to simulate a sustained human or
12 human-like relationship with a user by:

13 (1) Retaining information on prior interactions or user
14 sessions and user preferences to personalize the
15 interaction and facilitate ongoing engagement with the
16 AI companion;

17 (2) Asking unprompted or unsolicited emotion-based
18 questions that go beyond a direct response to a user
19 prompt; and

20 (3) Sustaining an ongoing dialogue concerning matters
21 personal to the user.



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

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

10 "Minor" means any person under eighteen years of age.

11 "Operator" means a person who develops and makes available
12 an AI companion to the public. A mobile application store or
13 search engine that merely provides access to an AI companion
14 shall not by itself constitute an "operator".

15 "Serious bodily injury" has the same meaning as defined in
16 section 707-700.

17 "Sexually explicit conduct" has the same meaning as defined
18 in title 18 United States Code section 2256.

19 "Sexually objectify" means to make sexual comments directed
20 at the user's body or appearance.



1 "User" means a person who has or generates an account or
2 profile to use an AI companion."

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

9 SECTION 5. This Act does not affect rights and duties that
10 matured, penalties that were incurred, and proceedings that were
11 begun before its effective date.

12 SECTION 6. New statutory material is underscored.

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



Report Title:

DCCA; Attorney General; Office of Consumer Protection; DOH;
Artificial Intelligence; AI Companions; Disclosures;
Protections; Minors; UDAP; Reports

Description:

Requires operators of AI companions in the State to issue certain disclosures to users. Requires operators to develop certain protocols to respond to user prompts regarding suicidal ideation or self-harm. Establishes protections for users and minor users of AI companions. Beginning 1/1/2028, requires operators to submit annual reports to the Behavioral Health Administration of the Department of Health containing certain information. Establishes that violations are to be considered unfair or deceptive acts or practices. (CD1)

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